

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56537 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- BADHAILA District- Rohtas

RAJESH CHAUDHARY Son of Sri Bhagavan Chaudhri @ Sri Bhagwan Chaudhary Resident of Village-Harivanshpur, Police Station-Baghaila, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 30-08-2023 1. Heard the learned counsel for the petitioner and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Baghaila P.S. Case No.29 of 2023, registered for offences under Sections 341, 323, 324, 325, 307, 504, 506 and 34 of the IPC.
3. The case of the prosecution, in brief is that on 07.03.2023, at about 4:30 p.m. when the informant was going to the market for purchasing books, the accused persons, including the petitioner herein, variously armed had suddenly attacked him. As far as the petitioner is concerned, he is stated to have assaulted the informant on his head with an iron rod, whereafter the other co-accused persons had assaulted the brother and uncle



of the informant with sticks and butt of the pistol.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted by referring to annexure-3, i.e. the injury report of the informant, that the injuries, sustained by the informant, attributable to the petitioner, have been found simple in nature. The learned counsel for the petitioner has also submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 11.08.2023, passed in Cr.Misc. No.50100 of 2023.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the injuries sustained by the informant, attributable to the petitioner herein, have been found to be simple in nature, apart from the fact that similarly situated co-accused persons have already been granted



the privilege of anticipatory bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Rohtas at Sasaram in connection with Baghaila P.S. Case No.29 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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