

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56685 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- KORANSARAI District- Buxar

1. RAHUL @ RAHUL CHOURASIA @ RAHUL NARAD CHOURASIA
SON OF NARAD CHOURASIA @ NARAD @ NARAD HARIDWAR
CHAURASIYA RESIDENT OF VILLAGE LAHANA PS KORAN SARAI
DISTRICT BUXAR
2. SHIV JI DUBEY @ SHIVJI DUBEY SON OF THAKUR DUBEY
RESIDENT OF VILLAGE LAHANA PS KORAN SARAI DISTRICT
BUXAR
3. BIGAD YADAV @ SHYAM BIHARI YADAV SON OF JAGDEV YADAV
@ JAGDISH YADAV @ JAGDIV YADAV RESIDENT OF VILLAGE
LAHANA PS KORAN SARAI DISTRICT BUXAR
4. HARERAM CHOURASIA @ HARERAM CHAURSIYA SON OF
PHAKAD CHOURASIA @ GANGA CHOURASIA RESIDENT OF
VILLAGE AND PS- KORAN SARAI, DIST- BUXAR
5. JITENDRA CHOURASIA @ JITENDRA CHAURASIYA SON OF
PHAKAD CHOURASIA @ GANGA CHOURASIA RESIDENT OF
VILLAGE- KAUDIYA, PS- SIMRI, DIST- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv.
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 30-08-2023 1. Heard the learned counsel for the petitioners and
learned APP for the State.
2. This is an application for grant of anticipatory
bail in connection with Koran Sarai P.S. Case No.63 of 2023,
registered for offences under Sections 147, 148, 149, 341, 323,
448, 379, 427, 307 and 504 of the IPC.
3. The accused persons, including the petitioners



herein are stated to have arrived at the house of the informant, whereafter they had engaged in assaulting the informant and his family members with stick and hasua.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners and a bare perusal of the impugned order dated 04.08.2023, would show that the informant has sustained two simple injuries, hence the petitioners be granted the privilege of anticipatory bail. The learned counsel for the petitioners has also submitted that the present case arises out of case and counter case.

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 present case arises out of case and counter case, a general and omnibus allegation has been levelled against the accused persons, the



injuries sustained by the informant have been found to be simple in nature, apart from the fact that the petitioners are having a clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in connection with Koran Sarai P.S. Case No.63 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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