

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58784 of 2023

Arising Out of PS. Case No.-578 Year-2021 Thana- SIKARPUR District- West Champaran

Shiv Chaudhary, Male, aged about 32 Year, S/O Late Zagru Chaudhary @
Jhagru Chaudhary Resident Of Manwa Parsi, Ps. Shikarpur, Dist. West
Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Shikarpur P.S. Case No. 578 of 2021 dated 25.10.2021,
instituted for the offence punishable under Sections 341, 323,
324, 307/34 of the Indian Penal Code.

3. Allegation against the petitioner is of assaulting the
informant's son on his neck by means of knife and snatching
mobile, gold chain and ring from his son.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. As per the F.I.R., allegation against the petitioner is of
assaulting informant's son with knife on his neck. Thereafter, the
informant and villagers took the injured to hospital where he
was examined by the doctor and the doctor found two injuries
on his person which is simple in nature. It is further submitted



that a case was filed by co-accused, Rajkumari Devi against Ramprakash's son Chhathu Chaudhary which has been registered as Shikarpur P.S. Case No. 193 of 2022 under Sections 376/511 of the I.P.C and allied Sections. The instant case is counter case filed by the wife of the petitioner. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Shikarpur P.S. Case No. 578 of 2021, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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