

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61243 of 2023

Arising Out of PS. Case No.-122 Year-2023 Thana- LADANIA District- Madhubani

1. RAMA CHAUDHARI S/O JIBU CHAUDHARI @ JIBU MOHAN CHAUDHARI R/O VILLAGE- MAHUA, P.S- LADANIA, P.O- MAHTHA, DISTT.- MADHUBANI, BIHAR- 847232.
2. SUNITA DEVI W/O RAMA CHAUDHARI R/O VILLAGE- MAHUA, WARD NO. 13, P.S- LADANIA, P.O- MAHTHA, DISTT.- MADHUBANI, BIHAR- 847232.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Nath Kanth
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-10-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. This is an application for grant of anticipatory bail in connection with Ladania P.S. Case No. 122 of 2023 (G.R. No. 848 of 2023), registered for the offence punishable under Sections 341, 323, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

3. The allegation, according to the informant, is that the petitioners, who are husband and wife and the brother-in-law and sister-in-law of the informant, had assaulted the mother-in-law of the informant on the alleged date and time of occurrence as also had abused them, whereafter they had also



snatched the Mangalsutra from the neck of the informant.

4. The learned counsel for the petitioners submits 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 in fact, there is no injury report on record to substantiate the allegations levelled by the informant. It is further submitted that the FIR has been filed after one month of the occurrence in question, hence, it is apparent that the entire allegations levelled against the petitioners are concocted and fabricated. Hence, it is submitted that the petitioners be granted the privilege of anticipatory bail.

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 petitioners, taking into account the materials available on record as also considering the fact that there is no injury report on record, as far as the informant and her mother-in-law are concerned, so as to substantiate the alleged occurrence, apart from the fact that the petitioners are having a clean antecedent



and the FIR has been lodged after a great delay, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the 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., Madhubani, in connection with Ladania P.S.Case No. 122 of 2023 (G.R.No. 848 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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