

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64746 of 2023

Arising Out of PS. Case No.-526, Year-2022, Thana- MAKHDUMPUR, District- Jehanabad

Shiv Kumar Chaudhary, Son Of Shivilal Chaudhari, Resident Of Village -
Mataurchak Milki, P.S. - Makhdumpur (O.P. Tehta), District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sewak Prasad, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-10-2023 Heard Mr. Ram Sevak Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Makhdumpur P.S. Case No. 526 of 2022, registered for the
offences punishable under Sections 448, 341, 323, 307, 504, 506
and 34 of the Indian Penal Code.

3. Allegedly the petitioner alongwith co-accused Rani
Kumari assaulted the informant by means of lathi, due to which
she sustained serious head injury. The reason for the occurrence
is said to be that co-accused Rani Kumari had taken Rupees
Twenty Thousand from the informant in the name of self help
group and despite the repeated request, the accused persons
were not returning the money.



4. It is submitted on behalf of the petitioner that so far the allegation of taking away of money is concerned, the same has already been returned to the informant and in support of the aforesaid averment, photocopy of Panchnama has been brought on record as Annexure 3. He next submits that the injury, which is allegedly sustained to the informant, is concerned, the same is also found to be simple in nature and the co-accused Rani Kumari, against whom the thrust of the allegation of taking money and assaulting the informant, has been allowed the privilege of anticipatory bail by learned Co-ordinate Bench of this Court in Cr. Misc. No. 45069 of 2023 vide order dated 09.08.2023, the copy of which has been marked as Annexure 4. The petitioner bears fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of the injury and the fact that the money has already been returned, coupled with clean antecedent, let the petitioner, above named, be released on 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, upon furnishing bail



bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Jehanabad in connection with Makhdumpur P.S. Case No. 526 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

U		T	
---	--	---	--

