

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60481 of 2022

Arising Out of PS. Case No.-391 Year-2022 Thana- PAKARIBARAW District- Nawada

1. BAHADUR CHAUDHARY S/o Jagdish Chaudhary R/o Village- Raruri, P.S.- Pakribarawan, Distt- Nawada.
2. Beby Devi W/o Bahadur Chaudhary R/o Village- Raruri, P.S.- Pakribarawan, Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 307, 324, 504/34 of the IPC and later on section 302 of IPC has also been added.

The allegation against the petitioners is that the petitioners assaulted the informant's side by means of several weapons due to which they sustained injuries. The grand father of the informant died during the course of treatment.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. It is not specifically stated by the informant that who assaulted the deceased and by which weapon the deceased was assaulted. Petitioner no.2 has no criminal antecedent and petitioner no.1 has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, as the petitioner no.2 is a lady, let the above named petitioner no.2, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection



with Pakribarawan P.S. Case No.391 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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