

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72320 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- ARIYARI District- Sheikhpura

1. ARVIND CHAUHAN Son of Parmeshwar Chauhan R/o vill - Viman, Tola Chawaniya, P.S. - Ariyari, Distt. - Sheikhpura
2. Suraj Chauhan Son of Arvind Chauhan R/o vill - Viman, Tola Chawaniya, P.S. - Ariyari, Distt. - Sheikhpura
3. Sunil Chauhan Son of Bachchu Chauhan R/o vill - Viman, Tola Chawaniya, P.S. - Ariyari, Distt. - Sheikhpura
4. Ramjanam Chauhan Son of Bachchu Chauhan R/o vill - Viman, Tola Chawaniya, P.S. - Ariyari, Distt. - Sheikhpura
5. Ravindra Chauhan Son of Ramjanam Chauhan R/o vill - Viman, Tola Chawaniya, P.S. - Ariyari, Distt. - Sheikhpura
6. Kundan Kumar Son of Ramjanam Chauhan R/o vill - Viman, Tola Chawaniya, P.S. - Ariyari, Distt. - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2023 Heard the parties.

2. Petitioners apprehends their arrest in connection with Ariyari P.S. Case No.214 of 2023, registered for the offences under Sections 341, 323, 325, 354, 379, 384, 385, 504, 506/34 of the IPC.

3. Learned counsel for the petitioner seeks permission to withdraw this application as against the petitioner no.1.

4. Permission is granted.



5. Accordingly, the instant application as against the petitioner no.1 is dismissed as withdrawn.

6. However, if the petitioner no.1 surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass the order on the same day, in accordance with law.

7. Now, this application is being heard with regard to the petitioner nos.2 to 6 only.

8. Allegedly, all the petitioners and other co-accused persons attacked the informant by means of several weapons as a result of which he fell on the ground. It is alleged that all the accused persons snatched gold locket from his neck and two thousand rupees from his pocket. When the informant's brother came to rescue him, all the accused persons assaulted him as well. It is further alleged that when the daughter of the informant came to rescue them, all the accused persons misbehaved with her and also sexually abused her.

9. 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. He further submits that except one injury all other injuries are of simple nature. Petitioner no.2 to 5 have no criminal antecedent and petitioner no.6 has one criminal antecedent.

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

11. Having regard to the facts and circumstances of the case as there is general and omnibus allegation against the petitioner nos. 2 to 6, let the above named petitioners, be released on bail, in the event of their 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) **each** 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 Ariyari P.S. Case No.214 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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