

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79155 of 2023

Arising Out of PS. Case No.-370 Year-2023 Thana- SAHPUR District- Bhojpur

1. Raman Chaudhary @ Raman Noniya Son Of Rajgrih Chaudhary Resident Of Village-Sahadih, P.S.-Shahpur, District-Bhojpur At Ara.
2. Mukhiya Chaudhary @ Mukhiya Noya @ Mukhiya Noniya Son Of Rajgrih Chaudhary Resident Of Village-Sahadih, P.S.-Shahpur, District-Bhojpur At Ara.
3. Lakhichand Chaudhary Son Of Rajgrih Chaudhary Resident Of Village-Sahadih, P.S.-Shahpur, District-Bhojpur At Ara.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shantam Shivam

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant's side.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not



specific rather general and omnibus in nature. He submits that there is case and counter case between the parties and both sides have sustained injuries. He further submits that petitioners no. 1 and 3 are said to have assaulted the informant and the injury was found simple in nature. He also submits that petitioner no. 2 is said to have assaulted wife of the informant and the injury was found grievous in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners no.1 and 3, 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 Shahpur P.S. Case No. 370 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that petitioner no. 2 is said to have assaulted the



wife of the informant and the injury was found grievous in nature, I am not inclined to enlarge petitioner no. 2 on anticipatory bail. The prayer for anticipatory bail of the petitioner no. 2 is hereby rejected.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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