

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73559 of 2023

Arising Out of PS. Case No.-330 Year-2023 Thana- ATRI District- Gaya

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Bharat Kumar Son of Late Ram Babu Chauhan R/o Village - Dihuri, P.S.-
Atri, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-11-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Atri P.S Case No. 330 of 2023 dated 15.07.2023
registered for the offence punishable u/s 341, 323, 307, 354, 504
read with 34 of the Indian Penal Code.

4. As per the prosecution case, while the informant
Dwarika Chauhan along with his family was sleeping in his
house then all the accused persons came and started lightning
the torch when the informant protested then all the accused



persons holding with *lathi* came and one of the co-accused person Rajendra Chauhan hit the informant on his head and the other co-accused persons pelted bricks and stones causing head injury. It is further alleged that the petitioner along with other accused persons assaulted informant's wife when she came to his rescue.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that there is a case and counter case between the parties. Learned counsel further submitted that allegations levelled against the petitioner is general and omnibus in nature. It is further submitted that all the injuries are simple in nature caused by hard and blunt substance. It is further submitted that there is delay of five days in lodging the F.I.R and there is no explanation for the same. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Atri P.S. Case No. 330 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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