

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73780 of 2023**

Arising Out of PS. Case No.-50 Year-2022 Thana- NADI District- West Champaran

1. Dhrup Chaudhary Son Of Bhagwat Chaudhary
2. Tetri Devi wife of Dhruv Chaudhary, both are resident of Village-  
Bhagwanpur Reta PS- Nadi Dist- W.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Perna Anand, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**

ORAL ORDER

2      09-11-2023              Learned counsel for the petitioners is permitted to  
make correction in paragraph-3 of the bail petition in course of  
the day.

2. Heard Mr. Perna Anand, learned counsel for the  
petitioners as well as Ms. Rita Verma, learned Additional Public  
Prosecutor for the State.

3. The petitioners are apprehending their arrest in  
connection with Nadi P.S. Case No.50 of 2022 , F.I.R. dated  
13.09.2022 registered for the offence punishable under Sections  
341, 323, 325, 354, 354(B), 379, 504/34 of the Indian Penal  
Code.



4. The prosecution case, in short, is that there was an altercation between informant's daughter and son-in-law. On 08.09.2022, one Murina Chaudhary took Dudhnath Nishad to his house due to the altercation between husband and wife. On 09.09.2022, informant asked Dhrup Chaudhary about his son-in-law upon which Dhrup Chaudhary abused and assaulted her. On hulla, Tetari Devi and Laxami Chaudhary also arrived there and committed assault to the informant. Munna Chaudhary assaulted to the informant by means of iron rod by which she sustained head injury and fell down on the ground and became half naked. Nathani Chaudhary gave *lathi* blow to the informant by which her finger of right hand was fractured. During the course of assault Ramawati Kumari snatched gold chain from the neck of informant. Accordingly the FIR.

5. Learned counsel for the petitioners submit that petitioners have clean antecedent and have falsely been implicated in the present case. Further submits that from perusal of the FIR it appears that there is direct allegation against the co-accused person, namely, Munna Chaudhary who is son of the petitioner no.1 and there is no accusation of any assault or overt act is attributed against the petitioners, rather there is general and omnibus allegation.



6. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bagaha, West Champaran in connection with Nadi P.S. Case No.50 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(ii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of their anticipatory bail.

(iii) And, further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of anticipatory bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Prakash Narayan

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