

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75345 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- ATRI District- Gaya

1. Umesh Chauhan Son of Indradev Chauhan Resident of Village - Jota Tola, Balua (Milki), P.S.- Atri, District - Gaya.
2. Mukesh Chauhan Son of Indradev Chauhan Resident of Village - Jota Tola, Balua (Milki), P.S.- Atri, District - Gaya.
3. Rajesh Chauhan Son of Indradev Chauhan Resident of Village - Jota Tola, Balua (Milki), P.S.- Atri, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Advocate Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of the occurrence, all the F.I.R. named including these petitioners were forcibly cultivating the land of the informant and on protest, one co-accused Shambhu Prasad opened fire but no one sustained any fire arms injury and thereafter other accused persons including these petitioners assaulted the informant and her family members on account of which three



persons sustained injuries.

4. It is submitted on behalf of the petitioners that there is general and omnibus allegation of assault against petitioner Nos. 1 and 3. So far petitioner No. 2 is concerned, he is alleged to have assaulted one Nand Lal Chauhan but all the injuries caused to him are simple in nature. Case and counter case. Case lodged by the petitioners is earlier in point of time. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State opposes the bail application.

6. Considering the nature of allegation and simple nature of injuries, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Atri P. S. Case No. 39 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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