

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3756 of 2024

Arising Out of PS. Case No.-151 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

1. Parmanand Chauhan Son of Late Ganesh Prasad Chauhan R/o vill - Bheria Rahika, P.S. - Town (Sub), Distt. - Katihar
2. Rajesh Chauhan Son of Late Laldhar Chauhan R/o vill - Bheria Rahika, P.S. - Town (Sub), Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-04-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Muffasil P.S. Case No. 151 of 2023 for the offence registered under sections 342, 323, 147, 149, 307, 379 of the Indian Penal Code lodged on 13.07.2023 by the informant Jampa Devi.

3. As per the prosecution story, the informant alleged that on 09.07.2023, when the informant's husband was going to meet Md. Rafik, the accused persons surrounded and assaulted with fists and slap and also took away Rs. 50,000/- from his pocket.



4. Learned counsel for the petitioners has pointed out that earlier the petitioners family had case vide Muffasil P.S. Case No. 147 of 2023 and as a counterblast, this Muffasil P.S. Case No. 151 of 2023 came to be lodged.

5. The further submission with the help of paragraph 15 shows that the injury near the eye has been found to be small abrasion and simple in nature.

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

7. Taking into account the aforesaid facts as also that he do not have criminal antecedent, there is case and counter case, the case of the petitioner being the earlier one, the injury has been found to be simple in nature, this Court is inclined to grant them relief.

8. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar in connection with Muffasil P.S. Case No. 151 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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