

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8888 of 2024

Arising Out of PS. Case No.-184 Year-2023 Thana- SILAO District- Nalanda

1. Bihari Chaudery Son of Ramdev Choudery
 2. Sunil Choudery Son of Ramdev Choudery
 3. Ramdev Choudery Son of Late Rupam Choudhary
 4. Lalu Choudery @ Lalo Kumar, Son of Late Laxman Choudhary
 5. Santosh Choudery, Son of Late Saudasi Choudery
- All are R/o village-Chandi, Mau, P.S. - Silao, Distt. - Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. The accused/petitioners are named in the FIR and
appending their arrest in connection with Silao P.S. Case No.184
of 2023 for the offences punishable under Sections 341, 323,
307, 324, 354-B and 504 read with 34 of the Indian Penal Code.

3. The allegation against the petitioners is to assault
the informant and her husband along with other co-accused
persons causing head and bodily injuries, having intention to
cause their death, where occurrence arises out of neighbourhood
dispute and differences.

4. It is submitted by learend counsel that allegation



of assault is appearing specific against only petitioner no.1, whereas against rest of the petitioners, it appears general and omnibus. It is submitted that injury, which received during occurrence by the husband of informant is simple in nature except injury no.3, which shown as grievous being fracture lower end of shaft of Rt. 1st Metacarpal, which is non-vital part of the body and, as such, not dangerous to life, as to attract a *prima facie* case under Section 307 of the Indian Penal Code. While concluding argument, it is submitted that petitioners are men of clean antecedent.

5. The learned APP opposes the prayer of bail.

6. In view of aforesaid facts and circumstances and by taking note of fact as allegation regarding assault is appearing very much general and omnibus, where assault as alleged to be caused by petitioner no.1 appears simple and on non-vital part of the body, accordingly, above-named petitioners are directed to be released on bail in the event of their arrest or surrender within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Silao P.S. Case No.184 of 2023, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Chandra Shekhar Jha, J.)

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