

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14152 of 2024

Arising Out of PS. Case No.-24 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

1. Angaj Kumar @ Angad Chaudhary @ Angaj Chaudhary, Son of Paro Chaudhary @ Pramanand Chaudhari,
 2. Rahul Kumar @ Rahul Chaudhary, Son of Paro Chaudhary @ Pramanand Chaudhari
- Both are residents of Village- Khesari, P.S.- Nimchak Bathani, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Neemchak Bathani P.S. Case No. 24 of 2023, registered for the alleged offences under Sections 147, 148, 149, 323, 341, 504, 506, 379 and 308 of the Indian Penal Code.

3. As per prosecution case, the petitioners and other co-accused persons, armed with *lathi*, *danda* and iron rod, abused and assaulted the informant and small children while the informant and others had been bringing the idol of Goddess Saraswati.



4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is general and omnibus allegation against the petitioners without attributing any motive. From the facts of the FIR, no offence under Section 308 IPC is made out. Some scuffle took place between the two groups and the injury reports of the victims show superficial injuries like pain and swelling on different parts of the bodies. The petitioner no.1 is having criminal antecedent of two cases, whereas the petitioner no.2 is having criminal antecedent of three cases.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general, non-serious and non-specific nature of allegation against the petitioners coupled with non-serious nature of injuries and further considering the possibility of false accusation, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released 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 learned Judicial



Magistrate, 1st Class, Gaya, in connection with Neemchak Bathani P.S. Case No. 24 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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