

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16693 of 2024

Arising Out of PS. Case No.-622 Year-2023 Thana- NAUBATPUR District- Patna

1. Mohan Kumar Son Of Uma Chauhan Resident Of Village- Charra, Ps- Naubatpur, Distt- Patna
2. Rohan Kumar Son Of Uma Chauhan Resident Of Village- Charra, Ps- Naubatpur, Distt- Patna
3. Kundan Kumar Son Of Uma Chauhan Resident Of Village- Charra, Ps- Naubatpur, Distt- Patna
4. Manoj Chauhan @ Manoj Chauhan Son Of Mathura Noniya Resident Of Village- Charra, Ps- Naubatpur, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arpana Kumari, Advocate
For the Informant	:	Mr. Shadab Akhter, Advocate
For the Opposite Party/s	:	Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioners; learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Naubatpur P.S. Case No. 622 of 2023 dated 02.09.2023, instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 354(B) and 379 of the Indian Penal Code.

3. The prosecution case in short, is that, when the informant was coming to his house then in the way all the accused persons including the petitioners started assaulting his father with lathi, danda, brick and stone and when the informant



intervened he was also attacked and assaulted. It is further alleged that the accused namely, Uma Chauhan took away her golden ring and jitiya. The father of the informant was further assaulted with sword by Mohan Kumar (petitioner no.1) and Rohan Kumar (petitioner no.2) and with knife by Kundan Kumar (petitioner no.3)

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is no specific allegation against petitioner no. 4 namely Manoj Chauhan rather the specific allegation is against petitioner nos. 1, 2 and 3, who are said to have assaulted the father of the informant by sword and knife. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner no. 4 namely, Manoj Chauhan within a period of six weeks from today, in connection with Naubatpur P.S. Case No. 622 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds



of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VI, Danapur (Patna)/ Court concerned, Danapur (Patna), subject to condition as laid down under Section 438(2) of the Cr.P.C.

7. Having considered the fact that petitioner nos. 1, 2 and 3 have assaulted the father of informant by means of sword and knife, I am not inclined to grant anticipatory bail to petitioner nos. 1, 2 and 3.

8. Accordingly, the anticipatory bail application on behalf of petitioner nos. 1 namely Mohan Kumar, petitioner no. 2 namely, Rohan Kumar and petitioner no. 3 namely, Kundan Kumar is rejected.

(Khatim Reza, J)

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