

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16404 of 2024

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

1. Uma Chauhan Son Of Dinanath Chauhan Resident Of Village - Charra, Ps- Naubatipur, Dist- Patna
2. Pankaj Kumar Son Of Manoj Chauhan Resident Of Village - Charra, Ps- Naubatipur, Dist- Patna
3. Sudeshwar Chauhan D Son Of Late Somaru Chauhan Resident Of Village - Charra, Ps- Naubatipur, Dist- Patna
4. Mithun Kumar @ Chauhan @ Mithun Chauhan Son Of Sudeshwar Chauhan Resident Of Village - Charra, Ps- Naubatipur, Dist- Patna
5. Rohit Kumar @ Mangaru Son Of Sudeshwar Chauhan Resident Of Village - Charra, Ps- Naubatipur, Dist- 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 (petitioner no. 1) took away her golden ring and jitiya. It is alleged that father of the informant was further assaulted with sword and knife.

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 F.I.R. has been lodged against nine accused persons including the petitioner. Learned counsel further submitted that there is no specific allegation against the petitioners rather the allegation is general and omnibus in nature. It is further stated that the specific allegation of assault is against co-accused Mohan Kumar, Rohan Kumar and Kundan Kumar, who are said to have assaulted the father of informant by means of sword and knife. It is further submitted that there is a case and counter case between the parties which is lodged by Meena Devi (wife of petitioner no. 2) for the same occurrence. 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 vehemently 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 petitioners 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.

(Khatim Reza, J)

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