

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20032 of 2024

Arising Out of PS. Case No.-185 Year-2023 Thana- SILAO District- Nalanda

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1. Vijay Chaudhary S/o Late Faguni Chaudhary R/o Chandi Mau, P.S. - Silao, Distt. - Nalanda
 2. Shailesh Chaudhary @ Shailesh kumar S/o Dilip Chaudhary R/o Chandi Mau, P.S. - Silao, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-07-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 447, 323, 324, 325, 307, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is further submitted that no doubt, specific allegation of assault is against Dilip Chaudhary and Vijay Chaudhary (petitioner no.1) of assaulting the injured by *khanti* on neck causing injury, but



then, it is submitted that no specific allegation of assault is alleged against the petitioner no.2, Shailesh Chaudhary. It is also submitted that the F.I.R. has been instituted after a delay of three days.

4. Learned A.P.P. opposes the anticipatory bail application and submits that the injury suffered by the injured is grievous in nature caused by hard and blunt substance as would manifest from the injury report annexed as Annexure-3, but then, is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that no specific allegation of assault is alleged against Shailesh Chaudhary.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioner no.2, namely, Shailesh Chaudhary @ Shailesh Kumar, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Nalanda at Bihar Sharif in connection with Silao P. S. Case No.185 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. So far as petitioner no.1, namely, Vijay Chaudhary



is concerned, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no.1, namely, Vijay Chaudhary

7. Accordingly, the prayer of the petitioner no.1 is rejected.

8. The application is partly allowed.

(Satyavrat Verma, J)

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