

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24956 of 2024

Arising Out of PS. Case No.-167 Year-2023 Thana- OBRA District- Aurangabad

1. Ramnath Chouhan Son of Late Sukan Chouhan Resident of Village- Sihudi Tola Dingraha, P.S.- Obra, District-Aurangabad (Bihar)
2. Sita Chouhan @ Shankar Chouhan @ Sita Shankar Chouhan Son of Late Sukan Chouhan Resident of Village- Sihudi Tola Dingraha, P.S.- Obra, District-Aurangabad (Bihar)
3. Nitish Kumar Son of Sita Chouhan @ Shankar Chouhan @ Sita Shankar Chouhan Resident of Village- Sihudi Tola Dingraha, P.S.- Obra, District-Aurangabad (Bihar)
4. Shiv Kumar Son of Ramkeshar Chouhan Resident of Village- Sihudi Tola Dingraha, P.S.- Obra, District-Aurangabad (Bihar)
5. Dinesh Chouhan @ Dinesh Kumar Son of Doman Chouhan Resident of Village- Sihudi Tola Dingraha, P.S.- Obra, District-Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Obra P.S. Case No.167 of 2023 registered for the offences punishable under Sections 341/323/307/504/34 of the Indian Penal Code.

3. As per the allegation made in the FIR all the petitioners were accused persons in the present case and allegation made in the FIR is that the informant had purchased a



piece of land from one Lakshmi Devi wife of Ram Udit Chauhan. When the informant went to pluck Stone Apple (bel) on his land, which he has purchased recently, then the accused persons started assaulting him.

4. Learned counsel for the petitioners submits that from the content of the FIR it becomes crystal clear that the informant is the purchaser of the land of the petitioners of which no mutation was made, meaning thereby the land was in possession of the petitioners. Upon request not to pluck the Stone Apple (bel), he along with others started assaulting. In result scuffling took place from both the sides, which resulted into injury from both the sides.

5. Learned counsel for the petitioners submits that for the same place and date of occurrence there are two criminal cases have been filed. One has been filed from the informant side bearing Obra P.S. Case No.167 of 2023 and another case has been filed from the petitioners' side bearing Obra P.S. Case No.166 of 2023. Learned counsel for the petitioners submits that antecedent of the petitioners are clean and they are basically not criminals. Both family are well-known to each other.

6. Learned counsel for the State opposed the prayer for bail and submits that in the FIR there are allegation against



the present petitioners.

7. In the present facts and circumstances, the petitioners, above named, are directed to be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs.30,000/- (Thirty Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad/Successor Court in connection with Obra P.S. Case No.167 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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