

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25561 of 2024

Arising Out of PS. Case No.-405 Year-2023 Thana- SIMRI District- Buxar

1. Pintu Chaudhary Son of Raghunath Bin @ Raghunath Chaudhary Resident of Village- Chandpali Bin Tola, P.S.- Simri, Dist.- Buxar
2. Janardan Chaudhary Son of Late Bhagwan Chaudhary Resident of Village- Chandpali Bin Tola, P.S.- Simri, Dist.- Buxar
3. Dhanji Chaudhary Son of Raghunath Bin @ Raghunath Chaudhary Resident of Village- Chandpali Bin Tola, P.S.- Simri, Dist.- Buxar
4. Sanjeet Chaudhary Son of Raghunath Bin @ Raghunath Chaudhary Resident of Village- Chandpali Bin Tola, P.S.- Simri, Dist.- Buxar
5. Pinki Devi Wife of Dhanji Chaudhary Resident of Village- Chandpali Bin Tola, P.S.- Simri, Dist.- Buxar
6. Dularia Devi @ Dulia Devi Wife of Janardan Chaudhary Resident of Village- Chandpali Bin Tola, P.S.- Simri, Dist.- Buxar
7. Mamta Devi Wife of Pintu Chaudhary Resident of Village- Chandpali Bin Tola, P.S.- Simri, Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-07-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 149, 323 , 341 , 307, 379, 354, 456, 504 and 506 of the Indian Penal Code .

3. As per the prosecution case , on 23.11.2023 at



about 6.30 PM while the informant was at her house , all the FIR named accused persons including these petitioners along with 3-4 unknown persons armed variously came into the house of the informant and started assaulting. It is further alleged that when the husband of the informant came to rescue, petitioner No. 1 assaulted him on his head by means of iron rod, petitioner No. 2 caught the hair of the informant and tried to disrob her. Petitioner No. 3 and 4 assaulted one Thakur Ji Sharma by means of iron rod and lathi causing injury to him. It is further alleged that petitioner Nos. 5 , 6 and 7 also abused the informant and her family members.

4. It is submitted on behalf of the petitioners that as a matter of fact on 23.11.2023 at 8.30 PM , the informant and her family members came in to the house of the petitioners and assaulted one Chndravati Devi, (mother of petitioner Nos. 1 , 3 and 4) due to which she sustained injury . When petitioners came to rescue her, they were also brutally assaulted, for which petitioner No. 1 lodged a case in Simri PS Case No. 47 of 2024 against the informant and her family members and in retaliation this false and concocted case has been lodged against the petitioners. It is further submitted that injury allegedly caused by these petitioners are simple in nature .



5. Learned counsel for the Opposite party/s opposed the bail petition .

6 Considering the nature of injury and others circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged 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 the learned Judicial Magistrate Ist Class Buxar in connection with Simri P.S. Case No. 405 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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