

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27557 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- MAHKAR District- Gaya

=====

KAILU CHAUDHARY @ UPENDRA CHAUDHARY, aged about 37 years
(Male), SON OF MUNDRIKA CHAUDHARY, RESIDENT OF VILLAGE -
KHUSHHALPUR, P.S. - MAHKAR, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-05-2024 Heard Mr. Priya Ranjan learned counsel appearing

on behalf of the petitioner and Mr. Anant Kumar 1, learned APP

for the State.

2. The petitioner seeks pre-arrest bail in connection
with Mahkar P.S. Case No. 245 of 2023 registered for the
offence(s) punishable under Sections 341, 323, 307, 504, 506,
34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioner assaulted the
husband of the informant, as a result of which, he sustained
head and hand injuries.

4. Learned counsel appearing on behalf of the
petitioner submitted that as per the allegation made in the FIR,



specific allegation of assault is against co-accused, Rahul Chaudhary and Parshuram Choudhary and said Parshuram Choudhary assaulted on the head of the husband of the informant by means of bamboo. Allegation against the petitioner is that the informant with an open eyes has seen the petitioner to be assaulting her husband brutally, however, the said allegation is general and omnibus and none of the injuries can be attributed to the assault caused by the petitioner. Injuries are simple in nature. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation, as well as, the fact that specific allegation of assault is against co-accused, Rahul Chaudhary and Parshuram Choudhary and the injuries are simple and also the fact that petitioner has clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate, 4th
Gaya in connection with Mahkar P.S. Case No. 245 of 2023,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

