

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25564 of 2024

Arising Out of PS. Case No.-19 Year-2020 Thana- AGRER District- Rohtas

1. SIGASAN CHAUDHARI @ SIHASAN CHAUDHARY S/O LATE RAM BELAS CHOUDHARY R/O VILLAGE- SHIVPUR CHITAU LI (TURKI TOLA), P.S- AGRER, DISTT.- ROHTAS.
2. MADAN CHOUDHARY S/O SIGASAN CHAUDHARY @ SIHASAN CHAUDHARY R/O VILLAGE- SHIVPUR CHITAU LI (TURKI TOLA), P.S- AGRER, DISTT.- ROHTAS.
3. SUKAR CHAUDHARY @ SUKAR KUMAR S/O JAI RAM CHAUDHARY R/O VILLAGE- SHIVPUR CHITAU LI (TURKI TOLA), P.S- AGRER, DISTT.- ROHTAS.
4. BHOLA CHAUDHARY @ NARENDRA CHAUDHARY S/O SHYAMLAL CHAUDHARY R/O VILLAGE- SHIVPUR CHITAU LI (TURKI TOLA), P.S- AGRER, DISTT.- ROHTAS.
5. RAM PRIT CHAUDHARY S/O LATE MOTI CHAUDHARY R/O VILLAGE- SHIVPUR CHITAU LI (TURKI TOLA), P.S- AGRER, DISTT.- ROHTAS.
6. ASHOK CHAUDHARY @ ASHOK KUMAR CHAUDHARY S/O RANGLAL CHAUDHARY R/O VILLAGE- SHIVPUR CHITAU LI (TURKI TOLA), P.S- AGRER, DISTT.- ROHTAS.
7. TUFANI CHAUDHARY @ RITESH CHAUDHARY S/O DASHRATH CHAUDHARY R/O VILLAGE- SHIVPUR CHITAU LI (TURKI TOLA), P.S- AGRER, DISTT.- ROHTAS.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadanand Roy, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2024 Heard Mr. Sadanand Roy, learned counsel for the

petitioners and Mr. Rajendra Prasad Nat, learned APP for the

State.



2. The petitioners are apprehending their arrest in connection with Agrer P.S. Case No. 19 of 2020, F.I.R. dated 03.05.2020 registered for the offences punishable under Sections 147, 149, 341, 323, 308, 504 of the Indian Penal Code.

3. Allegation against the petitioners is that they abused and assaulted the informant and his brother due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners nos. 1 and 2 carry one more case other than the present one and petitioner nos. 3 to 7 having clean antecedents and they have been falsely implicated in the present case. He further submits that due to admitted land dispute the present occurrence had taken place and there is case and counter case between the parties and although the informants' side have received injury but the injury report of the informant suggests that the injury is simple in nature and so far as the injury report of Dharmendra Pal is concerned, the injury inflicted in his right elbow which is not the vital part of the body of the injured person.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the



case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sasaram (Rohtas) in connection with Agrer P.S. Case No. 19 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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