

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29368 of 2024

Arising Out of PS. Case No.-483 Year-2023 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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1. Sanjay Chaudhary @Sanjay Kumar Chaudhary Son Of Vinay Bihari Chaudhary Resident Of Village- Shahpur Ps- Tisiauta Dist- Vaishali
 2. Satendra Chaudhary Son Of Late Rambrichh Chaudhary Resident Of Village- Shahpur Ps- Tisiauta Dist- Vaishali
 3. Pushapa Kumari @ Pushapa Devi Wife Of Sanjay Chaudhary Resident Of Village- Shahpur Ps- Tisiauta Dist- Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Raj Kumar Chaudhary Son Of Sukhdev Chaudhary Resident Of Village- Shahpur Ps- Tisiauta Dist- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Vaishali Complaint Case No. 483 of 2023, dated 24.02.2023
instituted for the offence punishable under Sections 323, 436 of
the Indian Penal Code.

3. The prosecution case, in short, is that, when the
informant was at his house then the accused persons came at his
house and started abusing him and when he protested then they
assaulted him by means of lathi, Danda and Satendra Chaudhary



even fired. It is further alleged that the accused persons poured petrol over the house of complainant and petitioner no. 2 & 3 set the house of complainant on fire and Pushapa Kumari (petitioner no.3) threw mirchi powder in the eye of the complainant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that both the parties are agnates. It is further submitted that there is a case and counter case between the parties. It is further stated that there is a land dispute between the parties due to which the present false and concocted case has been lodged against the petitioners. It is further submitted that there is no evidence to show that house of complainant was set on fire as per the allegation levelled against the petitioner nos. 2 & 3 by the complainant. It is further submitted that the occurrence took place on 21.02.2023 but the complainant has been lodged on 24.02.2023 after a lapse of 3 days without any cogent explanation. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Vaishali Complaint Case No. 483 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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