

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34186 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- DAUDNAGAR District- Aurangabad

1. Shayamlal Choudhary Son of Late Jawahir Choudhary RESIDENT OF VILLAGE - TARARI, P.S.- DAUDNAGAR , DIST- AURANGABAD (BIHAR).
2. RAKESH KUMAR @ RAKESH CHOUDHARY SON OF SHYAM LAL CHOUDHARY RESIDENT OF VILLAGE - TARARI, P.S.- DAUDNAGAR , DIST- AURANGABAD (BIHAR).
3. UMESH KUMAR @ UMESH CHOUDHARY SON OF SHYAM LAL CHOUDHARY RESIDENT OF VILLAGE - TARARI, P.S.- DAUDNAGAR , DIST- AURANGABAD (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-05-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Daudnagar Police Station Case No. 04 of 2024, dated 03.01.2024, disclosing offences under Sections 341/323/325/308/379/504/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 02.01.2024, in the evening, all the accused persons attacked the informant and his family members by means of iron rod and khanti. It has further been



alleged that the petitioner no. 2 assaulted on the head of informant and his uncle. Petitioner no. 3 assaulted informant's cousin brother by means of khanti and the petitioner no. 1 snatched gold chain from the informant.

4. Learned Counsel for the petitioners submits that both the parties are co-sharer and agnate and there is land dispute between them. Case and counter case is also there, bearing Daudnagar Police Station Case No. 28 of 2024, lodged by the side of the petitioners against the informant and others for the occurrence which has taken place on the same date and time. He further submits that injuries caused to the victims are simple in nature as would be evident from injury report annexed at Annexure-3 series.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-sharer and agnate, there is land dispute between them, case and counter case is also there and injuries caused to the victims are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their



arrest or surrender before the Court below within four weeks, be released 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 learned Sub-divisional Judicial Magistrate, Daudnagar (Aurangabad), in connection with Daudnagar Police Station Case No. 04 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

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

