

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34747 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

1. Yogendra Chaudhary @ Jogendra Chaudhary Son Of Baijnath Chaudhary Village- Golaudih, Ps- Kudra, Dist- Kaimur At Bhabua
2. Ishwar Chaudhary Son Of Baijnath Chaudhari Village- Golaudih, Ps- Kudra, Dist- Kaimur At Bhabua
3. Niraj Chaudhary @ Niranjan Kumar Son Of Rabindra Chaudhary Village- Golaudih, Ps- Kudra, Dist- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-05-2024 Heard Mr. Tribhuwan Narayan, learned counsel

appearing on behalf of the petitioners and Mrs. Rina Sinha,

learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection
with Kudra P.S. Case No. 115 of 2024, registered for the
offences punishable under Sections 307, 341, 323, 379, 504 and
34 of the Indian Penal Code.

3. The allegation against the petitioners is that they
assaulted the nephew of the informant due to which he sustained
serious injuries. Further allegation of snatching gold chain has
also been leveled against all the accused persons including the



petitioners.

4. Learned counsel for the petitioners contended that from the FIR it would be evident that the alleged occurrence has taken place on the eve of holi. In fact on the date of occurrence the nephew of the informant had misbehaved with some of the family members of the petitioners side in a drunken position which resulted into some scuffle leading to institution of the FIR. Drawing the attention of the injury report, produced as Annexure P/2, learned counsel for the petitioners further contended that the injuries have been found to be simple in nature. The learned counsel next submitted that though the occurrence took place on 25.03.2024 but the present FIR has been instituted on 27.03.2024 without there being any explanation for delay. The petitioners are men of clean antecedent; and also undertake that they will fully cooperate in the investigation or the proceeding of the Court

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioners have assaulted the nephew of the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the delay in lodging of the FIR; apart from the simple nature of



injury, coupled with their fair antecedent, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Judicial Magistrate 1st Class, Mohania in connection with Kudra P.S. Case No. 115 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C.

(Harish Kumar, J)

Prakash/-

U			
---	--	--	--

