

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35219 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- TETERHAT District- Lakhisarai

1. Ramanand Chaudhari son of Ashok chaudhari Village- Sharma Ps- Tatarhat Dist- Lakhisarai
2. Praveen Chaudhari son of Ramashray Chaudhari Village- Sharma Ps- Tatarhat Dist- Lakhisarai
3. Anant Kumar son of Chunchun Chaudhari Village- Sharma Ps- Tatarhat Dist- Lakhisarai
4. Arvind Chaudhari son of Ramashray Chaudhari Village- Sharma Ps- Tatarhat Dist- Lakhisarai
5. Pramod Chaudhari son of Ashok Chaudhari Village- Sharma Ps- Tatarhat Dist- Lakhisarai
6. Shashi Chaudhari son of Late Krishnandan Chaudhari Village- Sharma Ps- Tatarhat Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Tatarhat P.S. Case No. 178 of 2023 registered under Sections 341, 323, 379, 354(A), 308, 504 and 506/34 of the Indian Penal Code lodged on 04.12.2023 by the informant, Anmola Devi.

3. As per the prosecution story, the informant alleged



that the accused persons named above came armed variously and assaulted the informant's side while the petitioner no. 3, Anant Kumar assaulted on the head by iron rod, Praveen Chaudhari threw her on the ground while Arvind Chaudhari and Ramanand Chaudhari tried to outrage her modesty and Pramod Chaudhari snatched the gold ornaments. This led to the FIR.

4. Learned counsel for the petitioners submit that they are agnates and that is why allegation against them. He further submits that though the allegation is there against Anant Chaudhari of assaulting by iron rod, learned Session's Judge order shows that the same is simple in nature. Further submission is that the petitioners if granted bail, they will be diligently appearing in the trial and none of them have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that all of them armed variously and assaulted the informant.

6. Taking into account the allegation that has come against the petitioners including the fact that all the injuries have been found to be simple in nature and they do not have criminal antecedent, this Court is inclined to grant them privilege of anticipatory bail.



7. Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Tetarhat P.S. Case No. 178 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show their *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;



(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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