

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39246 of 2024

Arising Out of PS. Case No.-91 Year-2023 Thana- MANSAHI District- Katihar

1. Deep Narayan Chaudhary Son Of Kali Padho Chaudhary Resident Of Vishanpur, Tirasitola, P.O. And P.S. - Mansahi, District - Katihar
2. Mithlesh Chaudhary @ Mithlesh Kumar Son Of Deep Narayan Chaudhary Resident Of Vishanpur, Tirasitola, P.O. And P.S. - Mansahi, District - Katihar
3. Raniya Devi Wife Of Deep Narayan Chaudhary Resident Of Vishanpur, Tirasitola, P.O. And P.S. - Mansahi, District - Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Faiz Naseem, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Mansahi P.S. Case No. 91 of 2023 dated 18-06-2023, instituted for the offence punishable under Sections 341,323,324,307, 379, 504 and 506/34 of the Indian Penal Code.

3. The specific allegation of assault is against co-accused, namely, Kishan Chaudhary, who is not the petitioner.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in



this case. It is submitted that specific allegation of assault is attributed against co- accused, namely, Kishan Chaudhary who assaulted with sword on the head of the informant and two other persons from the informant's side. It is submitted that the nature of injury mentioned in the injury report are simple in nature. It is further submitted that there is general and omnibus allegation against the petitioners. There is case and counter case between the parties. The petitioner no.1, namely, Deep Narayan Chaudhary filed Mansahi P S Case No. 92 of 2023, dated 18-06-2023, under Sections 341, 323, 307, 354, 504 and 506/34 of the IPC against the informant stating that when the petitioner no. 1 was doing land measurement then the informant and other persons assaulted the petitioner no.1 with bamboo stick and also assaulted the other family members of the petitioner no.1, in which they all received injury. It is next highlighted that there is land dispute between the parties. Lastly, it is submitted that petitioners have no criminal antecedents.

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

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 petitioners within a period



of six weeks from today, in connection with Mansahi P.S. Case No. 91 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 J.M. 1st Class, Katihar, or appropriate Court below, subject to condition as laid down under Section 438(2) of the Cr.P.C

7. The application stands allowed.

(Khatim Reza, J)

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