

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46820 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- ATRI District- Gaya

Umesh Chauhan S/o- Akal Chauhan Village- Dihuri PS- Atri Dist -Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brijeshwar Narayan Singh, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 13-09-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Atri Gaya P.S Case No. 330 of 2023 dated 15.07.2023 registered for the offence punishable u/s 341, 323, 307, 354, 504 read with 34 of the Indian Penal Code.

3. As per the prosecution case, while the informant Dwarika Chauhan along with his family was sleeping in his house then all the accused persons came and started lightning the torch when the informant protested then all the accused persons holding with *lathi* came and one of the co-accused person Rajendra Chauhan hit the informant on his head and the other co-accused persons pelted bricks and stones causing head injury. It is further alleged that the petitioner along with other



accused persons assaulted informant's wife when she came to his rescue.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is a case and counter case between the parties. Learned counsel further submitted that allegations levelled against the petitioner is general and omnibus in nature. It is further submitted that all the injuries are simple in nature caused by hard and blunt substance. It is further submitted that there is a delay of five days in lodging the F.I.R and there is no explanation for the same. The co-accused person has already been granted anticipatory bail by this court vide order dated 29.11.2023 passed in Cr. Misc. No. 73559 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like



amount each to the satisfaction of the learned court concerned,
Gaya in connection with Atri Gaya P.S. Case No. 330 of 2023,
subject to conditions as laid down under section 438(2) of the
Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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