

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40936 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- CHAND District- Kaimur (Bhabua)

1. Shivam Chaubey Son Of Ramlal Chaubey Resident Of Village- Maldah, P.S- Iliya, District- Chandauli (U.P.)
2. Pankaj Chaubey @ Sarveshwar Nath Chaubey Son Of Nawgrah Chaubey Resident Of Village- Maldah, P.S- Iliya, District- Chandauli (U.P.)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioners and the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under sections 341, 323, 307, 504, 34 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of occurrence when the son of informant was coming from the iliya market, all the F.I.R. named accused persons including the petitioners armed with Hockey stick surrounded him and assaulted him on which his left hand and leg causing fracture.

4. Learned counsel appearing for the petitioners submitted that petitioners are named in the F.I.R. but there is nothing specific against them as a matter of fact son of the informant teased the sister of the petitioner no.1 when father of



the petitioners had gone to make inquiry about the same, quarrel took place in which both sides sustained injuries. Allegation of assault is general and omnibus. All F.I.R. accused including these petitioners are alleged to have assaulted the informant. Petitioners have one criminal antecedent in which they are on bail.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Judicial Magistrate- 1st class, Kaimur at Bhabua in connection with Chand P.S. Case No. 33 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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