

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43963 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- SALIMPUR District- Patna

1. Dharmendra Choudhary @ Dharmendra Chouhan Son Of Late Shivnandan Choudhary, R/o Village- Sundar Tola, P.S.- Salimpur, Distt.- Patna
2. Rani Devi @ Rano Devi W/O- Late Laxman Nat, R/o Village- Sundar Tola, P.S.- Salimpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-07-2024 Heard Mr. Santosh Kumar Singh, learned counsel appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail, who are in custody since 02.04.2024 in connection with Salimpur P.S. Case No. 74 of 2024 registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. The allegation against the petitioners is of causing assault to the informant and his son resulting into multiple injuries. The allegation of snatching of valuables has also been levelled in the FIR.



4. Learned counsel for the petitioners submitted that the genesis of the occurrence is a dispute with regard to passage of the drainage, wherein both the parties were entered into a scuffle resulting into injuries to persons of both the sides. He further submitted that though there is omnibus nature of allegation against all the accused persons, however, in the later part, it is alleged that petitioner no.2 assaulted the son of the informant by means of iron rod. Referring to the injury report, the learned counsel for the petitioner, contended that the injury sustained to both the persons have been found to be simple in nature. Be that as it may, now the investigation of the crime is complete.

5. On the other hand, the learned counsel for the State opposed the bail application and submitted that the petitioners bear criminal antecedent as has been mentioned in para-3 of the bail application. That apart, there is specific allegation of causing assault to the informant and his son.

6. Regard being had to the submissions made on behalf of the parties and considering the genesis of the occurrence and the fact that the investigation of the crime is complete, coupled with the simple nature of injury, let the petitioners, named above, be released on bail on furnishing bail



bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Barh, Patna in connection with Salimpur P.S. Case No. 74 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

- (i) The petitioners will cooperate in conclusion of the trial.
- (ii) They will remain present on each and every date of trial till disposal of the case.
- (iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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