

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47075 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- CHAORI District- Bhojpur

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1. Pramod Kumar @ Pramod Singh, Son of Nandi Singh @ Ganer Resident of Vill- Bahuara, P.S.- Chauri, District- Bhojpur.
 2. Sonu Kumar, Son of Nandji Singh @ Ganer Resident of Vill- Bahuara, P.S.- Chauri, District- Bhojpur.
 3. Bitu Kumar, Son of Nandji Singh @ Ganer Resident of Vill- Bahuara, P.S.- Chauri, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-08-2024 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 341, 323, 379, 307, 427, 504, 506 and 34 of the
Indian Penal Code.

3. The learned counsel for the petitioners submits
that the petitioner no.1 has antecedent of one case and
petitioner nos.2 and 3 are persons with clean antecedent and
the informant alleges that he was sitting in his house on



08.03.2023 at 6.00 P.M. with his family members when the accused persons including the petitioners came variously armed with *lathi*, *danda* and on account of old dispute, it is alleged that they started assaulting, on which the informant fled and entered the house of Dinesh Singh when the petitioners assaulted the women folk of the house, who had come to protect them and also snatched golden chain and jewellery and also looted Rs.50,000/-

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is also submitted that allegation of assault is general and omnibus in nature. It is next submitted that from perusal of the order impugned, it would manifest that the same records that the X-ray has not been done of the injured. It is next submitted that the occurrence took place on account of dispute in between the petitioners and the informant and his side being co-villagers. It is also submitted that on intervention of well-wishers, the parties have compromised and Section 307 of the I.P.C. is not made out in the nature of allegation. It is also submitted that



petitioners and the informant have compromised the case as would manifest from the compromise dated 20.03.2023 annexed as Annexure-3.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Ara, Bhojpur in connection with G.R. No.1404 of 2023 arising out of Chauri P. S. Case No. 20 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify from the informant about the genuineness of the



compromise and in the event, if the informant disputes the
compromise, in that event, the present anticipatory bail
order shall not be given effect to.

(Satyavrat Verma, J)

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