

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46930 of 2024

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

Om Prakash Chaubey @ Pinku Chaubey S/o Nand Lal Chaubey @ Nand Lal
R/o vill - Maldah, P.S. - Iliya, Distt. - Chandauli (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, when the son of informant was coming from market, all the F.I.R. named accused persons, including this petitioner, armed with hockey stick, surrounded him and assaulted him due to which his left hand and leg got fractured.

4. Learned counsel for the petitioner submits that allegation of assault is general and omnibus. As a matter of fact, son of informant teased the sister of co-accused Shivam Chaubey and when this petitioner along with others had gone to enquire about the same, quarrel took place between the



parties in which both sides sustained injuries. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Hon’ble Court *vide* order dated 16.07.2024 passed in Cr. Misc. No. 40936 of 2024. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the backdrop of the case and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Kaimur at Bhabua in connection with Chand P. S. Case No. 33 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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