

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54143 of 2024

Arising Out of PS. Case No.-441 Year-2024 Thana- SASARAM NAGAR District- Rohtas

1. Deo Shankar Chaurasia @ Deo Shankar Prasad @ Deo Shankar Prasad Chaurasia Son Of Late Jagannath Chaurasia @ Jagannath Prasad Resident Of Mohalla - Chauk Bazar Sasaram, P.S. - Sasaram Town, District - Rohtas
2. Rama Shankar Chaurasia @ Rama Shankar Prasad Son Of Late Jagannath Chaurasia @ Jagannath Prasad Resident Of Mohalla - Chauk Bazar Sasaram, P.S. - Sasaram Town, District - Rohtas
3. Sonu Chaurasia @ Rajnish Kumar Son Of Jay Shankar Chaurasia @ Radhe Shyam Prasad Resident Of Mohalla - Chauk Bazar Sasaram, P.S. - Sasaram Town, District - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh
For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-09-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 307, 427, 379, 341 of the Indian Penal Code & Section 27 of the Arms Act.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he along with his brother came to see their shop, where his landlords i.e. petitioners along with 10-12 unknown



accused came and fired causing injury to his brother, and thereafter, locked the shop, and in the night, committed theft of the articles, kept in the shop.

4. The learned counsel for the petitioners submits that petitioners being landlords have been falsely implicated in the instant case by the informant. It is further submitted that the allegation of firing is against Ramashankar and Sonu, causing injury to the brother of the informant but then the brother of the informant only received one firearm injury. It is also submitted that from the side of the petitioners also Sasaram Town Model P.S. Case No.440 of 2024 dated 19.05.2024 has been instituted against the side of the informant and other. It is further submitted that the said F.I.R has been instituted by Deo Shankar Prasad, who alleges that he had given the shop on rent to Rajesh, Ramesh and Subhash, further the shop was in a dilapidated condition, and thus, required repairing but then the aforesaid renters intends to forcefully captured his shop, on account of which, an altercation took place, in which the side of the informant assaulted the side of petitioners and Subhash fired causing injury to one of the persons on the side of the informant i.e. his brother. The learned counsel next submits that the petitioners are landlords and why they would have indulged in



firing for getting the shop vacated. It is next submitted that from the side of the petitioners also the aforesaid F.I.R. has been instituted, wherein it has been specifically alleged that it was Subhash, who was firing from the side of the informant, which caused firearm injury to the brother of the informant and the informant taking the same, as an opportunity, implicated the petitioners, alleging that it were Ramashankar and Sonu, who fired causing injury. The learned counsel for the petitioners submits that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Sasaram (T) P.S. Case No.441/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

8. It is further made clear that if charge sheet is submitted connecting the petitioners with the offence, in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

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