

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55704 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- KATIHAR NAGAR District- Katihar

1. Karan Kr. Chauhan @ Karan Kumar son of Riman Mandal Village- Bheriya Rahika Gaushala Ps- Sahayak Dist- Katihar
2. Rama Chauhan @ Ram Kumar son of Janak lal Chauhan Village- Bheriya Rahika Gaushala Ps- Sahayak Dist- Katihar
3. Jhalla Chauhan @ Mahadeo Kumar son of Janak Lal Chauhan Village- Bheriya Rahika Gaushala Ps- Sahayak Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad Sah, Advocate
For the State	:	Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-09-2024 Learned counsel for the petitioners that he may permitted to withdraw the anticipatory bail application of petitioner no.1, Karan Kumar Chauhan.

2. Accordingly, the relief sought for by petitioner no.1, Karan Kumar Chauhan stands rejected.

3. Heard Mr. Rajendra Prasad Sah learned counsel for the petitioner nos.2 and 3 namely Rama Chauhan @ Ram Kumar and Jhalla Chauhan @ Mahadeo Kumar and Mr. Ganesh Prasad Singh, learned APP for the State.

4. The petitioners are apprehending their arrest in connection with Nagar Sahayak P.S. Case No. 46 of 2024 for the



offence under Sections 341, 323, 307, 379, 386, 427 and 34 of the Indian Penal Code lodged on 25.01.2024 by the informant, Ziaul Alam.

5. As per the prosecution story, the informant alleged that the petitioner arrived at the shop, demanded extortion and upon refusal Karan Kumar Chauhan and Chhotu Paswan assaulted causing injury on the head. Further, the two petitioners took away Rs.20,000/- cash as also damaged the laptop. Accordingly, the F.I.R.

6. Learned counsel for the petitioners submit that allegation mainly is against Karan Kumar Chauhan and Chhotu Paswan and only to implicate them the story of extortion as also damage of laptop/removal of Rs.20,000/-. The submission is that both the petitioners are young boys, student having no criminal antecedent.

7. Learned APP opposes the prayer submitting that all of them have gone together though allegation of assault is on Karan Kumar Chauhan and Chhotu Paswan.

8. Considering the aforesaid facts and submissions as also that the main allegation is against Karan Kumar Chauhan and Chhotu Paswan, the allegation of removal of amount and damaging of laptop is there, F.I.R. lodged, it has been



undertaking by the learned counsel for the petitioners that they will be diligently appearing in trial, this Court is inclined to extend him the privilege of anticipatory bail.

9. Let the petitioner nos.2 and 3 namely Rama Chauhan @ Ram Kumar and Jhalla Chauhan @ Mahadeo Kumar be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Nagar Sahayak P.S. Case No. 46 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner nos.2 and 3 namely Rama Chauhan @ Ram Kumar and Jhalla Chauhan @ Mahadeo Kumar who shall provide official document to show his/her bona fide;

(ii) the petitioner nos.2 and 3 namely Rama Chauhan @ Ram Kumar and Jhalla Chauhan @ Mahadeo Kumar shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will



entail cancellation of his/her bail bond by the Trial Court itself;

(iii) petitioner nos.2 and 3 namely Rama Chauhan @ Ram Kumar and Jhalla Chauhan @ Mahadeo Kumar shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner nos.2 and 3 namely Rama Chauhan @ Ram Kumar and Jhalla Chauhan @ Mahadeo Kumar shall in no way try to induce or promise or threaten the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner nos.2 and 3 namely Rama Chauhan @ Ram Kumar and Jhalla Chauhan @ Mahadeo Kumar shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/her bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

