

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57612 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- KATEYA District- Gopalganj

Sivnath Chauhan @ Shivnath Chauhan, Son Of Late Gopal Chauhan, R/V-
Village- Bankata, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Harshvardhan, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Kateya P.S. Case No. 257 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code.

3. As per prosecution case, when the informant and her brother-in-law were coming back from the field, the petitioner and other accused persons have assaulted the informant with danda and her brother-in-law with pahsul causing him head and abdomen injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to previous enmity. There is case and counter case between the parties. There is no specific allegation of assault



against the petitioner and the injury found on the person injured, is simple in nature. It is further submitted that the other co-accused person has already been granted anticipatory bail by the Sessions Judge, Gopalganj. Petitioner has no criminal antecedent. Petitioner undertakes to cooperate in the investigation and trial of this case.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on 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 the concerned Court where the case is pending in connection with Kateya P.S. Case No. 257 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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