

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59722 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- LACHHUAR District- Jamui

1. Guddu @ Guddu Kumar Chaudhary Son of Shankar Chaudhary R/V-
Village- Bhullo, P.S.- Lachhuar, Distt.- Jamui

2. Suryakant Nirala @ Dablu Chaudhary Son of Sri Shankar Chaudhary R/V-
Village- Bhullo, P.S.- Lachhuar, Distt.- Jamui

3. Sonu Kumar Son of Sri Shankar Chaudhary R/V- Village- Bhullo, P.S.-
Lachhuar, Distt.- Jamui

4. Sukhli Devi Wife of Sri Shankar Chaudhary R/V- Village- Bhullo, P.S.-
Lachhuar, Distt.- Jamui

5. Shankar Chaudhary Son of Late Bhola Chaudhary R/V- Village- Bhullo,
P.S.- Lachhuar, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Mahto, Advocate.
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

211-09-2024

Heard Mr. Prakash Mahto, learned counsel appearing on behalf of the petitioners and Mr. Ram Sumiran Rai, learned APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioner seeks to withdraw the prayer for pre-arrest bail of petitioner no.2 submitting that petitioner no.2 has been arrested during the pendency of the bail application. Accordingly, prayer for pre-arrest bail of petitioner no.2 stands dismissed as withdrawn.

3. The petitioner nos. 1, 3, 4 and 5 seek pre-arrest bail in connection with Lachhuar P.S. Case No. 103 of 2024



registered for the offence punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

4. As per the allegation made in the F.I.R., all the accused persons including the petitioners had assaulted the informant. Specific allegation is against petitioner no.3 Sonu Kumar that he had assaulted the informant by means of sharp edged weapon causing injury on head, as well as, on different parts of body of the informant.

5. Learned counsel appearing on behalf of the petitioners submitted that though there is specific allegation against petitioner no.3 that he had assaulted the informant causing injury on head and different parts of the body, but as per the opinion of the doctor, the injury on the head of the informant is simple in nature. However, general and omnibus allegation is against petitioner nos. 1, 4 and 5. It has further been submitted that the petitioners are gotiya of the informant and there is ongoing land dispute between the parties.

6. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

7. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the specific allegation is against petitioner no.3 that he had assaulted with an



intention to kill the informant causing injury, however, as per the opinion of the doctor, the injury on the head of the informant is simple in nature and opinion with regard to two injuries have been kept reserved and there is general and omnibus allegation against petitioner nos. 1, 4 and 5, the petitioner nos. 1, 3, 4 and 5, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jamui in connection with Lachhuar P.S. Case No. 103 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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