

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63765 of 2024**

Arising Out of PS. Case No.-4 Year-2024 Thana- MANER District- Patna

1. Chandra Bhushan Kumar @ Chandra Bhushan Ray Son of Amar Nath Singh R/o Village- Dudhaila, P.S.- Maner, District- Patna
2. Raj Bhushan @ Raj Bhushan Kumar Son of Amar Nath Singh R/o Village- Dudhaila, P.S.- Maner, District- Patna
3. Amar Nath Singh Son of Late Suraj Prasad Singh R/o Village- Dudhaila, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nitish Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      26-09-2024      1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354, 379, 307, 504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioner no. 3 has antecedent of one case and petitioner nos. 1 and 2 are persons with clean antecedent and the informant alleges that Chandra Bhushan and Raj Bhushan came and asked for the keys of *Nal-Jal Yojna*, on which she disclosed that the keys are with her husband, on which accused persons abused



and acted inappropriately with her and when her mother-in-law came to save her, both accused assaulted her and Raj Bhushan snatched her chain and locket, it is next alleged that thereafter the aforesaid two accused along with other named accused persons assaulted her husband and spilled 70 liters of milk, further Shyam Nandan assaulted him with an iron rod causing injury on head, thereafter Amar Nath, Chandra Bhushan and Raj Bhushan assaulted Rajnish and Dharmveer causing injury on their head, while Rajnish also suffered cut injury near right knee and Rajnish and Dharmveer were admitted at PMCH and are under treatment, further Shyam Nandan and Shashi Bhushan took Rs. 14,000/- from pocket of her husband.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioner nos. 1 and 2 are persons with clean antecedent and on trivial issue, the occurrence is alleged to have taken place. It is also submitted that husband of the informant keeps the keys of *Nal-Jal Yojna* for the reason that he switches off and on the supply of water. It is next submitted that husband of the informant, at his own will, used to switch off and switch on the water connection, which had irked the villagers, on account of which an altercation took



place in which both sides assaulted each other. It is also submitted that specific allegation of assaulting the husband of the informant by an iron rod is against Shyam Nandan. It is next submitted that as far as allegation of assaulting Rajnish and Dharmveer is alleged, the same is alleged against the petitioner, but then the allegation is not specific rather is general and omnibus in nature, though from perusal of the allegation as alleged in the FIR, it appears that they suffered injuries on account of which they were admitted in PMCH. It is next submitted that the date of occurrence is 28.12.2023 and the FIR came to be instituted on 31.12.2023 i.e. after a delay of three days without any plausible explanation. It is also submitted that the entire family members have been implicated with some allegation. It is next submitted 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 trial court 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 the learned trial court where the case is pending/successor court in connection with Maner P.S. Case No. 04 of 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 its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation or are not presenting themselves as and when required in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioners after recording reasons.

**8. Accordingly, the instant anticipatory bail application stands allowed.**

**(Satyavrat Verma, J)**

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