

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69144 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. ADITYA KUMAR @ RAMPYARE KUMAR SON OF MALLU CHAUDHARY Resident of Village- Dubhal, Police Station- Magadh Medical, District- Gaya
 2. DABLU CHAUDHARY @ BABLU KUMAR SON OF SHAMBHU CHAUDHARY Resident of Village- Dubhal, Police Station- Magadh Medical, District- Gaya
 3. SANTOSH CHAUDHARY SON OF MALLU CHAUDHARY Resident of Village- Dubhal, Police Station- Magadh Medical, District- Gaya
 4. PHOOLWANTI DEVI @ DAULTI DEVI D/O MALLU CHAUDHARY Resident of Village- Dubhal, Police Station- Magadh Medical, District- Gaya
 5. PATO DEVI WIFE OF MALLU CHAUDHARY Resident of Village- Dubhal, Police Station- Magadh Medical, District- Gaya
 6. RAMJI CHAUDHARY SON OF MALLU CHAUDHARY Resident of Village- Dubhal, Police Station- Magadh Medical, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection
with Magadh Medical P.S. Case No. 11 of 2024 instituted for
the offences under Sections 323, 341, 354, 307, 504, 379, 386
of the Indian Penal Code.



3. As per FIR, the allegation against the petitioners are that they along with other co-accused persons came at the house of the informant armed with weapons, abused and assaulted the informant and his wife with iron rod, causing head injury and other bodily injuries. It is further alleged that they snatched golden chain and *mangalsutra* worth Rs. 55,000/- from the informant's wife and also snatched Rs. 5,000/- cash from the pocket of the informant.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. Learned counsel for the petitioners submitted that petitioners are next door neighbours and due to a petty dispute, altercation took place between the parties and both sides sustained injuries. Learned counsel further submitted that there is case and counter-case between the parties. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned counsel further submitted that there is specific allegation against



petitioner no.1 that he along with his brother assaulted on the head of the informant by means of iron rod. Learned counsel further submitted that several injuries have been caused to the informant and his wife.

6. Having considered the rival submissions made on behalf of the parties, taking into account the specific allegation of assaulting the informant against petitioner no.1, this Court is not inclined to grant bail to petitioner no.1. So far as remaining petitioners, i.e. petitioner nos. 2 to 6, are concerned, although there being specific allegation against them, the injuries sustained by the injured persons is simple in nature, this Court is inclined to grant bail to them (i.e, petitioner nos. 2 to 6).

7. Accordingly, the prayer for grant of bail to petitioner no. 1, namely, Aditya Kumar @ Rampyare Kumar, is hereby, **rejected**.

8. So far as petitioner nos. 2 to 6 are concerned, let the petitioners **(i.e. petitioner nos. 2 to 6)**, above named, in the event of arrest/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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Magadh



Medical P.S. Case No. 11 of 2024, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Rudra Prakash Mishra, J)

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