

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71111 of 2024

Arising Out of PS. Case No.-100 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

1. Ram Bachan Chaudhary @ Ram Chandra Choudhary son of Late Kailu Choudhary village- Horidih, Ps- Neemchak Bathani, Dist- Gaya
2. Indu Devi Wife of Ram Bachan Choudhary @ Ram Chandra Choudhary village- Horidih, Ps- Neemchak Bathani, Dist- Gaya
3. Ravi Choudhary @ Ravi Kumar Son of Ram Bachan Choudhary @ Ram Chandra Choudhary village- Horidih, Ps- Neemchak Bathani, Dist- Gaya
4. Dilip Choudhary son of Ram Bachan Choudhary @ Ram Chandra Choudhary village- Horidih, Ps- Neemchak Bathani, Dist- Gaya
5. Daulti Kumari Daughter of Ram Bachan Choudhary @ Ram Chandra Choudhary village- Horidih, Ps- Neemchak Bathani, Dist- Gaya
6. Rekha Kumari @ Rekha Devi Wife of Ravi Choudhary @ Ravi Kumar village- Horidih, Ps- Neemchak Bathani, Dist- Gaya
7. Sharwan Choudhary Son of Late Bramdeo Choudhary village- Horidih, Ps- Neemchak Bathani, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-11-2024 1. Heard learned Counsel for the petitioners and
learned APP for the State.

2. This application, for grant of anticipatory bail, arises out of Neemchak Bathani PS case no. 100 of 2024, disclosing offences punishable under Section 498(A) and other allied sections of the Indian Penal Code.

3. The prosecution story, as per the First Information



Report, is that the informant was married with co-accused Karu Choudhary about 05 years ago and a child was born out of the wedlock. It is alleged that suddenly, husband of the informant developed illicit relation with his Bhabhi and when the informant raised objection, she was assaulted by petitioners and co-accused Karu Choudhary (husband).

4. Learned Counsel for the petitioners submits that petitioners being the family members of informant's husband, have falsely been implicated in this case and they have not committed any offence in the manner alleged. Learned counsel further submits that there is general and omnibus allegation against the petitioners of assaulting the informant and nothing specific has been alleged against them. He also submits that the husband of the informant i.e. co-accused Karu Chaudhary has already been granted regular bail by a co-ordinate Bench of this Court vide order dated 07.10.2024, passed in Cr. Misc. No. 70631 of 2024.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that general and omnibus allegation has been levelled against the petitioners and the petitioners are family members of informant's husband, who has already been granted regular bail



by a co-ordinate Bench of this Court, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Gaya in connection with Nimchak Bathani PS case no. 100 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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