

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69592 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- PHULWARIYA District- Gopalganj

1. ARUN KUMAR SINGH @ ARUN KR. CHAUDHUR S/O LATE SHANKER SHARMA @ LATE SAKAL CHAUDHARY @ LATE SHANKER CHAUDHUR R/O VILLAGE- MARIPUR, P.S- PHULWARIA, DISTT.- GOPALGANJ, BIHAR.
2. PRADEEP SINGH @ PRADEEP CHAUDHUAR @ PRADEEP CHAUDHUR @ PRADEEP KUMAR CHAUDHARY S/O LATE SHANKER SHARMA @ LATE SAKAL CHAUDHARY @ LATE SHANKER CHAUDHUR R/O VILLAGE- MARIPUR, P.S- PHULWARIA, DISTT.- GOPALGANJ, BIHAR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prashant Kumar
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary
For the Informant	:	Mr. Ranjeet Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-03-2024 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 326, 447, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, on 19.05.2023, the petitioners, in association with other co-accused persons went to the house of the informant and assaulted his father. When the informant and his family members came to rescue him, they were also assaulted by the accused persons.

4. It is submitted by learned counsel for the petitioners



that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to enmity and grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that though the injured person, namely Satish Rai sustained grievous injuries but when his statement was recorded, he did not disclosed the name of the petitioners but later on, in his reinstatement, he disclosed the name of the petitioners. He further submits that the specific allegation is against the co-accused namely, Raghav Pandey. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail. It is submitted by the learned counsel for the informant that there is specific overt act against the petitioners and he has also enclosed some photographs in the counter-affidavit to support his statement.

6. Having regard to the facts and circumstances of the case and from the perusal of the record, it is clear that the injured in his first statement did not disclosed the name of the



petitioners, as such, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Phulwaria P.S. Case No.175 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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