

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75923 of 2023

Arising Out of PS. Case No.-240 Year-2023 Thana- JAYNAGAR District- Madhubani

1. KULDEEP KUMAR CHAUDHARY @ KULDEEP CHAUDHARY son of Kashindra Chaudhary Village- Barhi Ps- Jaynagar Dist- Madhubani
2. Pappu Chaudhary @ Pappu Kumar Chaudhary son of Kashindra Chaudhary Village- Barhi Ps- Jaynagar Dist- Madhubani
3. Indu Devi wife of Kashindra Chaudhary Village- Barhi Ps- Jaynagar Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash
	:	Mr. Gagan Deo Yadav
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 07-03-2024
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Jaynagar Police Station Case No. 240 of 2023, disclosing offences under Sections 448, 341, 323, 307, 379, 354(B), 504, 506, 34 of the Indian Penal Code.
 3. As per the prosecution story, on 05.06.2022, in the night, while the informant was at her home, the accused persons arrived there and demanded a partition. Upon refusal by the informant, the accused persons started abusing her. Petitioner No. 3 pulled her hair and petitioner No. 1 and 2



assaulted her by means of spade and when the husband of the informant intervened, all the accused persons assaulted him, snatched Rs. 10,000/- from his pocket.

4. Learned Counsel for the petitioners submits that both the parties are co-sharers and partition between them had taken place about twenty years back. The allegation of assault against the petitioners is forged and fabricated. Prosecution had not produced injury report of the victims and the opinion of the doctor is still reserved on the point of nature of injury.
5. Learned counsel for the State, referring to the case diary submits that the submission of the petitioner regarding injury report is correct and the opinion of doctor is still reserved.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of dispute and the fact that both the parties are co-sharers, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four



weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Jaynagar Police Station Case No. 240 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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