

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77293 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- KARANDAY District- Sheikhpura

1. Anoj Choudhary @ Anoj Kumar Son of Shravan Choudhary R/o - Ghari, P.S - Karandey, District - Sheikhpura
2. Sanjay Choudhary @ Sanjay Kumar Choudhary Son of Daso Choudhary R/o - Ghari, P.S - Karandey, District - Sheikhpura
3. Daso Choudhary Son of Late Teter Choudhary R/o - Ghari, P.S - Karandey, District - Sheikhpura
4. Shravan Choudhary Son of Late Teter Choudhary R/o - Ghari, P.S - Karandey, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-11-2024 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 Karandey Police Station Case No. 61 of 2024, dated 30.07.2024, disclosing offences under Sections 190/191(2)/126(2)/115(2)/109/352/351(2) of the Bharatiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report, is that the co-accused Tunni Choudhary assaulted the informant by means of iron rod on his head. Petitioner



nos. 1, 2 and 3 assaulted the grand-daughter of the informant and also outraged her modesty and on orders of petitioner no. 4, the accused persons assaulted the informant and others.

4. Learned counsel for the petitioners submits that both the parties are co-villagers and the occurrence has taken place due to the fact that the informant's nephew Rajesh Yadav was scolding his daughter, which was questioned by the informant. A counter-case has also been lodged by the side of the petitioners, having Karandey Police Station Case No. 62 of 2024. He further submits that specific allegation of assault by iron rod is upon co-accused Tunni Choudhary and the allegation against the petitioners for assaulting the grand-daughter of the informant is general and omnibus in nature.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, case and counter-case is there and specific allegation of assault is against co-accused Tunni Choudhary, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sheikhpura, in connection with Karandey Police Station Case No. 61 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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