

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75937 of 2024

Arising Out of PS. Case No.-136 Year-2024 Thana- BARAHAT District- Banka

1. Deep Narayan Chouhan @ Dip Narayan Chouhan Son of Late Nepali Chouhan Resident of village- Kaitka, P.S.- Barahat, District- Banka
2. Sunaina Devi Son of Wife Deep Narayan Chouhan Resident of village- Kaitka, P.S.- Barahat, District- Banka
3. Rekha Devi Wife of Vinay Chouhan Resident of village- Kaitka, P.S.- Barahat, District- Banka
4. Kiran Devi Wife of Dhananjay Chouhan Resident of village- Kaitka, P.S.- Barahat, District- Banka
5. Karishma Kumari D/O- Rohit Chouhan Resident of village- Kaitka, P.S.- Barahat, District- Banka
6. Kajal Kumari D/O- Vinay Chouhan Resident of village- Kaitka, P.S.- Barahat, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-11-2024 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Barahat P.S. Case No. 136 of 2024 dated 23.06.2024 corresponding to G.R. No.1976 of 2024, lodged under Sections 341, 323, 354, 504, 506, 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against



six named accused persons (all the petitioners) against whom there is an allegation that they have assaulted the informant and his daughter.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that all the sections in which FIR has been lodged are bailable in nature except section 354 of the I.P.C. and there is no ingredient of section 354 of the I.P.C. is there. Counsel further submits that the informant and petitioners are own *gotia* and due to family dispute, scuffling took place which resulted into case and counter case i.e. one case has been lodged from the informant's side bearing Barahat P.S. Case No. 136 of 2024 and one case has been lodged from the petitioners' side bearing Barahat P.S. Case No. 135 of 2024. Counsel further submits that the criminal antecedent of the petitioners are clean and the entire family members have unnecessarily been made accused in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that for the same date and place of occurrence, there is case and counter case.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioners be released on



bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Banka in connection with Barahat P.S. Case No. 136 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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