

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83907 of 2024

Arising Out of PS. Case No.-2724 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Chandra Kishor Pandit S/o- Late Sitaram Pandit Resident of Village-Shankar Saraiya Babu Tola PS- Turkauliya District-East Champaran
 2. Sundar Devi W/o- Chandra Kishor Pandit Village- Shankar Saraiya Babu Tola Ps- Turkauliya Dist-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sant Ram S/o- Late Dhuran Pandit Village- Shankar Saraiya Babu Tola Ps- Turkauliya Dist-East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Karandeep Kumar
For the Opposite Party/s	:	Mr.Upendra Kumar
For the complainant	:	Mr. Akshay Lal Pandit, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2024 1. Heard the parties.

2. The petitioners apprehend arrest in connection with Complaint Case No. 2724 of 2023 registered under Sections 420, 467, 468, 471, 193, 194, 195, 196, 120(B) / 34 of the I.P.C.

3. As per the allegation made in the complaint the petitioner no. 2 has filed a case bearing Turkauliya P.S. Case No. 505 of 2022 alleging therein that all the accused persons assaulted the complainant and her family member and one Kamakhya Pandit (complainant's son) gave axe blow on the head of the petitioner no. 1 in which injury was found grievous but subsequently the medical board was formed and injury sustained by the petitioner



no. 1 was changed as simple in nature.

4. Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and it was the doctor who had given the injury report, which has subsequently been changed by the medical board. Moreover, the injury report and other documents are to be considered in the trial arising out of Turkauliya P.S. Case No. 505 of 2022. The trial is still going on.

5. On the other hand, learned counsel for the complainant opposed the prayer for anticipatory bail and submits that the petitioners manipulated with the connivance of doctor the injury report of the petitioner no. 1 due to which the complainant's son was sent to jail. Accordingly, the petitioners do not deserve the privilege of anticipatory bail.

6. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that injury report of previous doctor was changed by the medical board, as such, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, East Champaran, Motihari in connection with Complaint Case No. 2724 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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