

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.143 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- KORHA District- Katihar

1. Koushalya Devi W/O Mahadeo Chouhan @ Mahadeo Jamadhar R/O Village- Makaipur, P.S- Korha, Distt.- Katihar.
2. Mahadeo Chouhan @ Mahadeo Jamadar S/O Late Buddan Jamadar @ Buddu Chouhan R/O Village- Makaipur, P.S- Korha, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Korha P.S. Case No. 251 of 2023 dated 18.06.2023 registered for the offences punishable u/ss 323, 341, 307, 354, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, when the informant got her house repaired, in the meantime, the petitioners along with other accused persons having deadly weapons came and tried to stop her. On being objected by the informant and her mother then the co-accused Kishore Chouhan caught her hair and slammed her on the ground and assaulted her.



The informant's sister was also assaulted by the co-accused, Rajesh Kumar Chouhan, due to which she sustained injury on her hand. The petitioner Mahadev Chouhan assaulted the informant with iron rod on her right hand Anita Devi and Nitu Devi tried to press her neck with intent to kill her. The co-accused Suman Devi took silver chain from the informant's mother neck. They damaged all the household articles of the house. They threatened them and demanded extortion money of Rs. 100000/-.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. As per the F.I.R. there is no material against the petitioner no. 1, Koushalya Devi. As per injury report of the injured, the injuries are simple in nature. Learned counsel has further submitted that the petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Katihar in connection with Korha P.S. Case No. 251 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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