

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86170 of 2023

Arising Out of PS. Case No.-370 Year-2023 Thana- RAMPUR District- Gaya

Punyadev Choudhary @ Bunna Choudhary Son Of Heera Choudhary R/O
Village Gewal Bigha Pain Par, P.S.- Rampur, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel for
the informant.

2. The petitioner apprehends arrest in connection with
Rampur PS Case No. 370 of 2023 dated 02-006-2023, instituted
under Sections 341, 323, 325, 307,379, 354, 504 and 506/34 of the
Indian Penal Code.

3. Allegation in the First Information Report (for brevity
'FIR') is that while the informant was making a soil stove and her
daughter-in-law was helping her, it is alleged that petitioner along
with other accused persons abused the informant. It is further
alleged that petitioner assaulted the informant on her head, on
account of which, blood was oozing out. It is further alleged that
they also snatched her golden chain and tried to outrage the



modesty of her daughter-in-law.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the present case has been lodged against the petitioner and his family members. It is submitted that as per the allegation in the FIR, petitioner assaulted the informant by means of iron rod, on account of which, she sustained head injury. It is submitted that the learned Additional Sessions Judge- XII, Gaya, in his order dated 04-10-2023, passed in ABP No. 2304 of 2023, while rejecting the prayer for bail of the petitioner, has recorded that the injury report is attached with the record, which is simple in nature. The reason behind the occurrence is that as the informant was kept the soil stove on the passage, which was used as a passerby and when the petitioner protested, she dashed her head on the soil stove and suffered injury. The petitioner has no criminal antecedents.

5. Learned APP and learned counsel for the informant have opposed the prayer for bail. It is submitted that petitioner assaulted the informant on the vital part of the body.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from



today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Gaya, in Rampur PS Case No. 370 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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