

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3037 of 2024

Arising Out of PS. Case No.-62 Year-2023 Thana- CHAORI District- Bhojpur

1. Bhanu Pratap Singh S/O Bhagwan Singh R/O Vill Bhikhampur, PS Chouri, Dist Bhojpur Ara
2. Santosh Singh S/O Bhagwan Singh R/O Vill Bhikhampur, PS Chouri, Dist Bhojpur Ara
3. Sonu Kumar @ Sonu Singh S/O Santosh Singh R/O Vill Bhikhampur, PS Chouri, Dist Bhojpur Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Chouri PS Case No. 62 of 2023, dated 04-07-2023, instituted for the offence punishable under Sections 341,323, 307, 504 and 506/34 of the Indian Penal Code.

3. Allegation in the First Information Report (for brevity 'FIR') is that accused persons, including the petitioners have abused and assaulted the informant with '*lathi*' and '*danda*'. It is alleged that co-accused, namely, Manu Singh and petitioner no.3 made firing with their pistol and rifle. When the



‘*Bhaisur*’ of the informant, namely, Dhananjay Singh came to rescue her, he was also assaulted by accused persons causing blood oozing due to injury on his head, palm and chest.

4. The learned counsel for the petitioner submits that petitioners are innocent and have been falsely implicated in this case. It is submitted that the petitioners and informant are close relatives. The present FIR is counter blast of Chouri P. S. Case No. 58 of 2023 lodged on behalf of petitioners’ side against the informant and her family members under Section 307 and other allied Sections of the Indian Penal Code. The present F.I.R. has been lodged only to overcome the liability arising out of Chouri P.S. Case No.58 of 2023. It is also submitted that there is civil dispute between the parties and petitioner No. 1 filed Title Suit No. 267 of 2023 against the informant, who is defendant in that case. It is next submitted that one criminal case, filed by the informant's side, is pending against petitioner nos. 1 and 2, in which, they are on bail whereas, petitioner no.3 has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Chouri PS Case No. 62 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Bhojpur at Ara, or appropriate Court below, subject to condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Khatim Reza, J)

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