

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1191 of 2024

Arising Out of PS. Case No.-70 Year-2021 Thana- ATRI District- Gaya

1. Shayam Sundar Chauhan @ Shyam Sundar Chauhan Son Of Ram Swaroop Jamadar Resident Of Tola-Manka, Village- Jota, Ward No-4, Nardiganj, P.S.- Atri, Distt-Gaya
2. Kedar Chauhan Son Of Ramji Chauhan Resident Of Tola-Manka, Village- Jota, Ward No-4, Nardiganj, P.S.- Atri, Distt-Gaya
3. Subodh Chauhan @ Subodh Kumar Son Of Rajendra Chauhan Resident Of Tola-Manka, Village- Jota, Ward No-4, Nardiganj, P.S.- Atri, Distt-Gaya
4. Bindeshwar Chauhan @ Bindesar Chauhan Son Of Semar Chauhan Resident Of Tola-Manka, Village- Jota, Ward No-4, Nardiganj, P.S.- Atri, Distt-Gaya
5. Krishna Chauhan Son Of Preman Chauhan Resident Of Tola-Manka, Village- Jota, Ward No-4, Nardiganj, P.S.- Atri, Distt-Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Mr. Syed Asgher Najmi, learned counsel appearing on behalf of the petitioners and Mr. Bharat Bhusha, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Atri P.S. Case No.70 of 2021 dated 26.02.2021 registered under Sections 341, 323, 325, 308, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the informant went at his boring and saw that a child is doing her

call of nature and her grandmother is standing there. When the informant raised objection, the accused persons started abusing and assaulting the informant and accused/petitioner Bindeshwar Chauhan blow Khanti on the head of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that direct allegation is against the petitioner no.4 that he has assaulted on the head of the informant. There is general and omnibus allegation of abusing and assaulting the informant against the petitioner nos.1, 2, 3 and 5.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner nos. 1, 2, 3 and 5 to be general and omnibus, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate XIII, Gaya in connection with Atri P.S. Case No.70 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. So far as the petitioner no.4 is concerned, he may seek regular bail before the District Court. The District Court is directed to pass an order on the same day the petitioner files his application for regular bail, after examining the injury report of the victim.

Ashishsingh/-

(Purnendu Singh, J.)

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