

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11729 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- SHIVSAGAR District- Rohtas

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1. Kishor Chaurasia @ Kishor Kumar S/o- Sidhnath Chaurasia Village- Chandwa, P.S.- Shivsagr, District- Rohtas
 2. Hare Ram Sharma @ Parmanand Sharma S/o- Kanhaiya Sharma Village- Chandwa, P.S.- Shivsagr, District- Rohtas
 3. Ravi Sharma @ Ravindra Kumar Sharma S/o- Kanhaiya Sharma Village- Chandwa, P.S.- Shivsagr, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Murari Mishra, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Shivsagar P.S. Case No. 30 of 2024 for the offence under Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code, lodged on 21.01.2024 by the informant, Bechan Rain.

3. As per the prosecution story, the informant alleged in a small fight between the children, the accused persons assembled, armed variously and allegation is of assaulting the informant side, the allegation is that:

(i) Uttam Chaurasiya assaulted on the head;



(ii) Harer Ram Sharma and Mohan Sharma used iron rod to assault;

(iii) Ravi Sharma used 'lathi' to injured the informant side;

(iv) Dhanji Yadav used fighter for the assault beside some unknown person were there also.

4. As the informant's son Arif Rain, nephew Saif Rain and the younger brother Waris Rain came to rescue, they too were assaulted. This led to the F.I.R.

5. Learned counsel for the petitioner submits that minor scuffle took place, omnibus allegations are there against all the petitioners, in any case, there is no role has been assigned to Kishore Chaurasiya (petitioner no.1).

6. Learned APP Mr. Jitendra Kumar Singh has taken this Court to the injuries sustained by the informant to show that beside injuries on the skull/parietal lobe, the supplementary injury report shows that there was fracture of digital phalanx which was found to be grievous in nature.

7. Taking into account the aforesaid facts as also the assault theory that has been assigned to the petitioner no.2 and 3 namely Hare Ram Sharma @ Parmanand Sharma and Ravi Sharma @ Ravindra Sharma, their anticipatory bail application



stands rejected.

8. So far as the petitioner no.1, Kishor Chaurasia @ Kishor Kumar is concerned, though his name is there, no role has been attributed to him, he do not have criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

9. Let the petitioner no.1, Kishor Chaurasia @ Kishor Kumar be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Shivsagar P.S. Case No. 30 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner no.1, Kishor Chaurasia @ Kishor Kumar who shall provide official document to show his/her bona fide;

(ii) the petitioner no.1, Kishor Chaurasia @ Kishor Kumar shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without



plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner no.1, Kishor Chaurasia @ Kishor Kumar shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioner no.1, Kishor Chaurasia @ Kishor Kumar shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no.1, Kishor Chaurasia @ Kishor Kumar shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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