

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41798 of 2025

Arising Out of PS. Case No.-169 Year-2024 Thana- KISHANPUR District- Supaul

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1. Tribhuwan Chauhan @ Shashi Chauhan son of Late Rajendra Chauhan Resident of village -Chauhan Tola Ward No 14 Sisauni PS- Kishunpur District- Begusarai
 2. Vipin chauhan son of Late Rajendra Chauhan Resident of village -Chauhan Tola Ward No 14 Sisauni PS- Kishunpur District- Begusarai
 3. Shanichari Devi Wife of Late Rajendra Chauhan Resident of village -Chauhan Tola Ward No 14 Sisauni PS- Kishunpur District- Begusarai
 4. Pinki Devi Wife of Tribhuwan Chauhan @ Shashi Chauhan Resident of village -Chauhan Tola Ward No 14 Sisauni PS- Kishunpur District- Begusarai
 5. Sita Devi Wife of Vipin Chauhan Resident of village -Chauhan Tola Ward No 14 Sisauni PS- Kishunpur District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Adv.
For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-07-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Kishunpur P.S. Case No. 169 of 2024 for the offence registered under sections 341, 323, 324, 307, 354, 34 of the IPC lodged on 03.07.2024 by the informant, Kiran Devi.

3. As per the prosecution story, the informant alleged that in a minor issue of children, the adults came into picture and there was assault on the informant's side. The allegation is that Tribhuvan, Rajendra, Vipin and Jyoti assaulted Sanjit and Ranjit causing injuries on the head and the legs. There is also allegation



of outraging the modesty of the informant. They were shifted to the hospital, which followed the FIR.

4. Learned Counsel for the petitioners submit that there is case and counter case. One of the accused, namely, Rajendra Chauhan lodged the counter case and with the help of Annexure-2, he submits that Rajendra Chauhan is now no more.

5. Further, though allegation of assault is against all the family members, the injuries have been found to be simple in nature as reflected from the order-sheet of the learned Sessions Judge.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though there is case and counter case, the allegation of assault is against these petitioners.

7. Considering the submissions of the parties as also the fact that there is case and counter case, the author of the second FIR is now dead, the injuries have been found to be simple in nature, some of the petitioners are ladies, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs.



10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Kishunpur P.S. Case No. 169 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 his bail bond by the Trial court itself;

(iii) the petitioners 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;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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