

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69874 of 2024

Arising Out of PS. Case No.-187 Year-2024 Thana- KONCH District- Gaya

1. Krishna Chaudhary S/O Bhushan Chaudhary R/O Village- Konch, P.S- Konchm, Distt.- Gaya.
2. Lakshman Chaudhary @ Lakshman Kumar S/O Bhushan Chaudhary R/O Village- Konch, P.S- Konchm, Distt.- Gaya.
3. Shatrudhan Chaudhary @ Shatrudhan Kumar S/O Bhushan Chaudhary R/O Village- Konch, P.S- Konchm, Distt.- Gaya.
4. Fulwa Devi W/O Bhushan Chaudhary R/O Village- Konch, P.S- Konchm, Distt.- Gaya.
5. Parmila Devi W/o Kanhai Chaudhary R/O Village- Konch, P.S- Konchm, Distt.- Gaya.
6. Baban Kumar S/O Pramod Chaudhary R/O Village- Konch, P.S- Konchm, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 19-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Konch P.S. Case No. 187 of 2024 for the offence under Sections 341, 323, 307, 379, 504/34 of the I.P.C. lodged on 10.05.2024.

3. As per the prosecution story, on 09.05.2024 at about 07:00 P.M., petitioner no. 1 – Krishna Chaudhary has



called the informant as well as his wife for a certain work. When the couple arrived at his home, he took them in the courtyard, and said you have kidnapped my sister. Thereafter, all the above named petitioners, started assaulting by means of *Lathi*, *Danda*, and Iron Rod to him and his wife. Consequently, his wife become injured and become unconscious.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case. It appears from the prosecution story that there is no any specific allegation against any of the named accused persons, who assaulted whom upon which part of the body by means of which substance, are not described therein. It is further submitted that there is general and omnibus allegation against all the accused persons that they have assaulted indiscriminately. The petitioners have tried to get the injury report of the informant's wife, but it could not be available even injured lady have not specifically stated about her injury in the course of investigation. It is lastly submitted that both the parties are resident of same locality and due to village politics and earlier grudge entire family members have been made accused without any fault in their part.

5. Learned APP opposes the prayer for bail.



6. From perusal of F.I.R., it appears that there is general and omnibus allegation against all the petitioners of assaulting the injured. As per para 3 of this bail application there is no criminal antecedent against any of the petitioners and injury report of the injured – Chitralekha Devi has been mentioned in para 29 of the case diary which suggest that only body pain is there. Keeping in view the aforesaid facts and circumstances of this case, this Court is inclined to grant the petitioners the privilege of anticipatory bail.

7. Let the petitioners 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) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Konch P.S. Case No. 187 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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