

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80492 of 2024

Arising Out of PS. Case No.-680 Year-2023 Thana- ISLAMPUR District- Nalanda

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Ashok Chaudhari S/O Vasudev Chaudhari R/O Bardih Math, P.S- Islampur,
Distt.- Nalanda, Bihar (801303).

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Anisha Kumari D/O Shri Ramashish Choudhary R/O Village- Barhimath,
P.S- Islampur, Dist.- Nalanda, Bihar (801303).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahima Sharma

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-01-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Islampur P.S. Case No. 680 of 2023 (Spl. POCSO Case No. 200 of 2023) dated 03.12.2023 registered under Sections 448, 341, 323, 325, 307, 504, 506, 354(B) and 34 of the I.P.C.

3. As per the first information report on 02.12.2023 when the informant returned in the evening from her field, she saw that her sister, aged about 12 years, was lying naked on the floor and her neighbour- Deepak Chaudhari, son of the petitioner -Ashok Chaudhari was trying to outrage her modesty. When the mother of the informant went to the house of the petitioner to make complain, she was abused. It has further been alleged that all the



accused persons entered into the house of informant armed with lathi, danda, iron rod and started abusing and assaulting the family members of the informant. The petitioner has assaulted the mother of the informant on her head with iron rod and also near the ribs and hand due to which her hand was fractured.

4. Learned counsel for the petitioner submits that the petitioner along with his family members have falsely been implicated as a counter blast to the F.I.R. lodged by the wife of the petitioner bearing Islampur P.S. Case No. 679 of 2023 dated 02.12.2023. She further submits that in fact the side of the informant had encroached upon the public road for which a complaint was made by the petitioner before the Bihar Lok Shikayat Niwaran Adhikar and final order was passed on 17.10.2023 for removal of the encroachment / hut from the public road causing obstruction in drainage. The encroachment made by the informant's side was removed by the administration on 22.12.2023. Learned counsel further submits that both the parties are on litigating terms and 04 F.I.R. including the present one have been lodged by the side of the informant against the petitioner and the petitioner's side have filed 02 F.I.R. and one case before the Lok Adalat and one complaint case against the informant. The injuries caused to the



victim i.e. mother of the informant are simple in nature as opined by the doctor.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that the petitioner along with his family members brutally assaulted the informant's mother and other family members and the mother of the informant has sustained 14 injuries out of which some injuries are serious in nature.

6. Regard being had to the submission made by the parties and taking into consideration the fact that both the parties are neighbours having long standing litigation / dispute and doctor has opined the nature of injuries caused to the informant's mother as simple in nature, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge VII cum Special Judge, POCSO Nalanda (Bihar Sharif) / concerned court in connection with Islampur P.S. Case No. 680 of 2023 (Spl. POCSO Case



No. 200 of 2023) subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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