

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89914 of 2024

Arising Out of PS. Case No.-313 Year-2024 Thana- BODHGAYA District- Gaya

Nandu Chaudhari S/o Bhattu Chaudhari R/o Village- Ratnara Ganga Bigha
koini, PS- Bodhgaya, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-01-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bodh Gaya Police Station Case No. 313 of 2024, dated 28.06.2024, disclosing offences punishable under Sections 341/323/307/504/354/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 28.06.2024, at about 05:30 AM, when the informant was on his land, the petitioner, along with other co-accused persons, arrived there, started abusing and co-accused Bhola Paswan assaulted him by means of iron rod, due to which he sustained injury in his finger. When the informant's son intervened, he was also assaulted by



co-accuse Bhola Paswan on his head. When another son of the informant and his wife came there, co-accused Shankar Paswan and Mithun Paswan assaulted them with iron rod on their heads.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village politics. There is family dispute between the co-accused and the informant and the petitioner, being the neighbour of co-accused persons, has falsely been implicated in this case. The petitioner is having no criminal antecedent and the allegation against him is not specific. No specific overt act has been alleged against the petitioner in the First Information Report.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation against the petitioner and the fact that there is no specific allegation of assault against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of



four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Bodh Gaya Police Station Case No. 313 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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