

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20539 of 2015

Arising Out of PS.Case No. -163 Year- 2014 Thana -DHANAHA District-
WESTCHAMPARAN(BETTIAH)

1. Girish Gosai @ Girish Giri, Son of Late Kailash Gosai, resident of Sitab
Diar, P.S.- Dhanaha, District- West Champaran
2. Satdeo Caurasia @ Satdeo Chaudhary, Son of Jairam Chaurasia, resident
of Ramnagari, P.S.- Dhanaha, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

----With----

Criminal Miscellaneous No.22857 of 2015

Arising Out of PS.Case No. -163 Year- 2014 Thana -DHANAHA District-
WESTCHAMPARAN(BETTIAH)

Kailash Chaurasiya S/o Sukhal Chaurasiya R/o Village- Bahadurpur, P.S.-
Padrauna, Dist- kushinagar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.20539 of 2015)

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Mr. Bharat Bhushan(App)

(In Cr.Misc. No.22857 of 2015)

For the Petitioner/s : Mr. Parmanand Kumar

For the State : Mrs. Renuka Ratnakar, A.P.P.

For the Informant : Mr. Vijay Kumar Singh, No.1.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 16-09-2015 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

Petitioners of both the applications are accused in
connection with Dhanaha P.S. Case No. 163 of 2014 registered

under Sections 147, 148, 149, 341, 323, 324, 302 and 504 of the I.P.C. Therefore, both applications are being heard together and disposed of by this order.

The allegation of informant Thag Kuswaha is that petitioner Kailash Chaurasia, Rajesh Chaurasia and Mahesh Chaurasia were ploughing the field of the informant through tractor, when he along with his family members reached there and made protest then they started to cause assault in which Kailash Chourasia gave the iron rod blow at the head of Baliram Kuswaha, who fell down. Thereafter, seven others named in the F.I.R. reached there and assault was caused to the informant and also Gopal Prasad and Raj Kumar.

Learned counsel appearing on behalf of the petitioner submits that while there is specific allegation against the petitioner Kailash Chaurasia to cause injury at the head of the deceased Baliram Kushwaha, but six injuries were found on the person of the deceased, out of which, one injury is on the neck of the deceased and other on the rest part of person and there is general allegation to cause injury also. Learned counsel appearing on behalf of the rest, Girish Gosai and Satdeo Chaurasia is that it would appear from the F.I.R. itself that they along with others reached at the place of occurrence later on and caused injury to

informant Thag Kushwaha, Gopal Prasad and Raj Kumar.

Under the above facts and circumstances and nature of allegation, prayer of the petitioner Kailash Chaurasiya for bail is hereby rejected. However, prayer of the petitioners namely, Girish Gosai @ Girish Giri and Satdeo Chaurasia @ Satdeo Chaudhari are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Bagaha, West Champaran in connection with Dhanaha P.S. Case No. 163 of 2014.

(Rajendra Kumar Mishra, J.)

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