

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31255 of 2014

Arising Out of PS.Case No. -307 Year- 2013 Thana -GHANSHYAMPUR District- DARBHANGA

1. Kusheshwar Chaupal, son of Dukha Chaupal Resident of village- Kathal,
P.S.- Ghanshyampur, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Mr. Sunil Kr. Panday (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 30-01-2015 Heard the learned counsel for the petitioner as well as
learned A.P.P.

The petitioner seeks the privilege of pre-arrest bail in connection with Ghanshyampur P.S.Case No. 307 of 2013 under Section 302 and other allied Sections of the Indian Penal Code. Allegedly the petitioner Kusheshwar Chaupal being armed with farsa and other accused persons came and started assaulting the husband of the informant and again the petitioner assaulted the son of the informant causing injury on his head.

Submission is that against the petitioner there is no allegation of assaulting the deceased. The only allegation against

the petitioner is that he assaulted the son of the informant but no sharp cut injury has been found rather lacerated wound has been found on the left side of the head measuring 1" X 1/6" X 1/6" and the nature of injury was opined to be simple. The ladies accused, namely, Karo Devi and others have been allowed pre-arrest bail vide Cr. Misc. No. 15266 of 2014 and the assailant Chhathu Chaupal is in custody.

Learned A.P.P. after going through the F.I.R. submits that the petitioner was armed with farsa and he has injured Surendra Chaupal.

In the facts and circumstances as stated above, considering the injury of Surendra Chaupal, the above named petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on execution of a bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri Sudhir Sinha, Judicial Magistrate, 1st Class, Biraul at Benipur, Darbhanga, in connection with Ghanshyampur P.S.Case No. 307 of 2013, G.R. No. 1243 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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