

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34269 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -AKBARPUR District- NAWADA

- =====
1. Ramjatan Chouhan S/o late Banshi chauhan
 2. Rewari Devi@Rawari Devi W/o Ram Ekbal Chauhan All are resident of Village- Barail, P.s Akbarpur ,district Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Binod Kumar 2 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-08-2015

Heard learned counsels for the petitioners
and the State.

Petitioners are apprehending their arrest in
a case registered for the offences punishable under Sections
147, 148, 149, 323, 341, 307, 504, 324 of the Indian Penal
Code. Subsequently under Section 302 of the Indian Penal
Code was also added.

The prosecution case is that for asking to
remove thorn from public road, the accused persons came
variously armed and on order of petitioner No. 1 to kill the
informant and his father co-accused Siya Ram Chauhan and
Badri Chauhan assaulted with Khanti on the head of the father
of the informant and when father of the informant fell on the
ground then co-accused Dularchand Chauhan assaulted with

iron rod and co-accused Aano Devi and Radhika Devi assaulted with lathi. When the mother of the informant came to rescue then she was assaulted by Aano Devi, Radhika Devi and Kari Devi with lathi. When sister of the informant came to rescue then she was assaulted by Balmiki Chauhan with Garasa, Dularchand Chauhan with iron rod and petitioner No. 2 with lathi.

It is submitted by learned senior counsel for the petitioners that for the occurrence of 24.01.2015 the First Information Report was registered on 27.01.2015. The petitioner No. 1 is only order giver whereas the victim, father of the informant died after two months of the occurrence but he was not assaulted by petitioners. Petitioner No. 2 alleged to have made assault to the sister of the informant who received two simple injuries though it is alleged that three persons assaulted the sister of the informant.

It is submitted by learned counsel for the informant that sister of the informant received injuries on her head though counsel for the informant admits that there is counter version of the occurrence and petitioners' side also received injuries.

Considering the fact that accusation of making assault to the father of the informant is not against the petitioners and the injury to the sister of the informant has been found to be simple, let the petitioners, above named, in

the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Akbarpur P.S. Case No. 13 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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