

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50127 of 2015

Arising Out of PS.Case No. -170 Year- 2015 Thana -NAWADA MUFFASIL District- NAWADA

- =====
1. Jodhi Chauhan son of Late Budhu Chauhan.
 2. Bhatni Devi ,wife of Jodhi Chauhan.
- Both residents of Village - Sufal Bigha, P.S. - Muffasil, District - Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 11-12-2015 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mufassil P.S. Case No.170 of 2015/G.R. No.2309 of 2015/C.R. No.17745 of 2015 registered under Sections 341, 447, 323, 307, 379 and 504/34 of the Indian Penal code.

The allegation of the informant is that on 03.08.2015 in the evening at about 06.00 P.M. when she was sitting alone in her house, all the accused persons including the petitioners armed with iron rod and danda in a drunken state came there and using abusive language asked where about of her husband and son and

asked to kill them. When the informant made protest, the petitioner no.1 caught hold of her and his elder son, Tarkeshwar Chauhan assaulted her with iron rod on her head causing head injury to her and blood started oozing out and she fell down on the ground. Thereafter, Tannu Chauhan assaulted her with iron rod on her left hand causing injury. On hulla, when the daughter of the informant, Asha Devi, came to rescue her, the co-accused, Ashok Kumar assaulted her with iron rod causing head injury and she also sustained injury on her elbow. The co-accused, Ashok Kumar also snatched a gold chain worth Rs.30,000/- from the neck of the daughter of the informant.

Learned counsel appearing on behalf of the petitioners submits that, in fact, there were hot exchange of words in between the petitioner no.1 and the family members of the informant due to lodging of Nawada Muffasil P.S. Case No.71 of 2011 by the petitioner no.1 against the informant, her husband and others. Due to that reason, the informant has lodged this false case against the petitioner no.1, his wife, sons and daughter.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender within four weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)

each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada, in connection with Nawada Muffasil P.S. Case No.170 of 2015, subject to the conditions laid down under Section 438(2) Cr. P.C.

(Rajendra Kumar Mishra, J)

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