

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48037 of 2015

Arising Out of PS.Case No. -373 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Vijay Chaurasia @ Vijay Kumar Chaurasia Son of Suresh Chaurasia,
Resident of Village - Sareya Ward No. 1, Police Station - Gopalganj,
District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Md.Sufiyan (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Gopalganj Town P. S. Case No.373 of 2014 registered for the
offences under Sections 341, 323, 324, 385, 307, 504/34 of the
Indian Penal Code.

The prosecution case has been lodged on the basis of
written report of one Bullet Yadav in which he stated that on
10.08.2014 at 10.30 P.M. at night when he was sitting at his door,
the petitioner, Vijay Chaurasia @ Vijay Kumar Chaurasai came
and demanded money for liquor, which he refused and then he
went away. After five minutes the petitioner along with, Santosh



Chaurasia, Chuman Chaurasia and Suresh Chaurasia came and started abusing him. He tried to flee away, upon which the petitioner and Santosh Chaurasia caught him and Suresh Chaurasia assaulted him and caught his hands from behind and Chuman Chaurasia, Vijay Kumar Chaurasia (petitioner) and Suresh Chaurasia gave knife blows in his stomach and he fell down in pool of blood and on his cry accused persons fled away. He was admitted in Sadar Hospital from where he was referred and was treated in Savitri Hospital, Gorakhpur.

Learned counsel for the petitioner submitted that he has clean antecedent, which finds place at para-3 of the petition.

It has further been submitted by the learned counsel for the petitioner that the F.I.R. speaks of injury on the abdomen, caused by the three accused persons simultaneously but the injury report, placed at Annexure-2 only speaks of one wound on lumber region.

It has further been stated that although the occurrence had taken place on 10.08.2014, the case was lodged on 24.08.2014 i.e. after delay of about fourteen days.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender within a period of six weeks from today, before the Court below, be enlarged on

bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S.Case No. 373/2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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