

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16382 of 2015

Arising Out of PS.Case No. -94 Year- 2014 Thana -WARSALIGANJ District- NAWADA

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1. Lakhan Choudhary Son of Late Badri choudhary resident of Village-
Korma, Police station- Warsaliganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Dinesh Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 12-08-2015 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is in custody since 29.01.2015 in connection with Warsaliganj P.S. Case No. 94 of 2014 registered for the offences punishable under Section 341, 323, 324, 326, 307/34 of the Indian Penal Code.

The prosecution case is that on 03.05.2014 at 3.30 hours Vijay Chaudhary, Mohit Chaudhary and Tuntun Chaudhary all came abusing and petitioner Lakhan Chaudhary assaulted to Baleshwar Chaudhary with Garasa, Vijay Chaudhary assaulted to Balam Chaudhary with an axe on his head, Tuntun Chaudhary gave dagger blow to Parwatiya Devi.

Learned counsel for the petitioner submits that petitioner has got clean antecedent and because of land dispute

there is a case and counter case bearing Warsaliganj P.S. Case No. 95 of 2014. It is further submitted that the witnesses have stated that there was free-fighting between both the parties. And in supplementary injury report, doctor has found simple injury.

A counter case bearing Warsaliganj P.S. Case No. 94/15 is pending between the parties. Supplementary medical report says that injury is simple whereas, medical report says that the injury is of grievous nature. There is contradiction in the injury report.

Under such circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Warsaliganj P.S. Case No. 94 of 2014.

(Nilu Agrawal, J)

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