

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29650 of 2016

Arising Out of PS.Case No. -87 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

- =====
1. Bhan Chauhan S/o Doman Chouhan
 2. Dharmendra Chouhan son of Bhan Chouhan Resident of village- Akhlaspur Police Station- Bhabua District- Kaimur

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Varun Kumar, Advocate.

For the Opposite Party : Mr. Bharat Lal (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody in connection with Bhabua P.S. Case No. 87 of 2016 for the offences instituted under Sections 287, 326 and 307/34 of the Indian Penal Code.

The prosecution story, in brief, is that during the course of cutting the straw, on the instigation of petitioner no.1 and co-accused Baliram Mallah, the petitioner no.2 Dharmendra Chouhan accelerated the speed of machine, as a result of which, both the hands of the brother of the informant got amputated.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 04.03.2016. The charge sheet

has been submitted in the present case. The petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. While cutting the cattle feed, the victim accidentally got his hand cut and due to ulterior motive, got the present case instituted against the petitioners and others. No motive has been alleged against the petitioners. It is purely a case of accident. It is further submitted that the First Information Report has been instituted after five days of the alleged occurrence and the reason for delay has not been explained by the prosecution.

On behalf of the state it is submitted that the petitioners are named in the First Information Report.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Bhabua P.S. Case No. 87 of 2016.

(Sudhir Singh, J.)

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