

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3892 of 2016**

Arising Out of PS.Case No. -129 Year- 2015 Thana -HISUA District- NAWADA

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1. Bhushan Chauhan Son of Deoki Chauhan, Resident of Village - Shiv Narayan Bigha, Police Station - Hisua, District - Nawada.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      27-01-2016                      Heard learned counsel for the petitioner and the State.

The petitioner being the brother-in law (sala) of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 341, 379, 504 of the Indian Penal Code.

The prosecution case is that the informant when went to in-laws house was being assaulted and on the order of informant caused burnt injury. The wife and her mother Kapila Devi put boiled oil on the body of the informant, causing injury on the back and neck. It is further alleged that co-accused Guddu Chauhan snatched

mobile and Ajay Chauhan snatched Rs. 5,000/- from the pocket of the informant.

It is submitted by the learned counsel for the petitioner that accusation has been levelled in the background of the fact that the sister of the petitioner filed a case being Hisua P.S. Case No. 129 of 2015 with accusation under Section 498A/34 of the Indian Penal Code and the informant has not received any injury and there is no injury report on the record. Statement to that effect has been made in para-11 of the petition which reads as follows:-

“That it is relevant to state here that the informant has not treatment any Government Hospital and nothing has been injured. This false case has been lodged only for harass the petitioner and his family members.”

Moreover, the accusation of assault has not been levelled against the petitioner. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the fact that accusation of assault is not against the petitioner, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with

Hisua P.S. Case No. 129 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Dinesh Kumar Singh, J)**

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