

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37536 of 2016

Arising Out of PS.Case No. -138 Year- 2016 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

1. Pradeep Chouhan Son of Jamun Chauhan
2. Jamun Chauhan Son of Nandu Chauhan Both resident of village -
Daruwara Beldari, P.S. Noorsarai, Distt. Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

Petitioners apprehend arrest in connection with Noorsarai
P.S.Case No. 138/2016 for offences alleged under Sections 341,
323, 307, 504/34 of the Indian Penal Code .

The prosecution case, as lodged by the informant Ram
Bahadur Chauhan is that on 17.05.2016 while the son of the
informant was playing, accused petitioner Pradeep chauhan
abused and slapped the son of the informant. It is further alleged
that when the wife of the informant went to make complain, both
the petitioners started assaulting her by means of lathi and bat,
causing ruptured injury on her head and hurt or other part of the

body. On arrival of the villagers, the accused persons had fled away and then the informant with the help of villagers took his unconscious wife to hospital for treatment. It is also alleged that the accused persons are muscle man.

It has been submitted by the learned counsel for the petitioners that they are innocent and have been falsely implicated in the aforesaid case due to minor quarrel between the petitioner No. 1 and the son of the informant. It has been submitted by the learned counsel for the petitioner that the injury sustained on the wife of the informant has found to be simple in nature, caused by hard and blunt substance and the petitioner has no criminal history as is evident from para-3 of this application.

Learned counsel appearing on behalf of the informant submits that the informant's wife sustained two injuries on her forehead and bruises all over the body, as mentioned in Annexure-2, hence, opposes the prayer for bail.

Learned A.P.P. submits that the petitioners are named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since the injury has found to be simple in nature and that the petitioners have no criminals antecedent, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight

weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Noorsarai P.S. Case No. 138/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J)

Sudha/-

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