

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2489 of 2016

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

- =====
1. Vijay Choudhary,
 2. Tuntun Choudhary, Both Sons of Lakhan Choudhary, Resident of village - Korma, P.S. Warsaliganj, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Vishwa Ranjan Choudhary

For the Opposite Party : Mr. C. Sen Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 16-03-2016

Heard learned counsel for the petitioners and the learned

A.P.P. for the State.

The petitioners are accused in connection with Warsaliganj P.S. Case No. 94 of 2014, registered under Sections 341, 323, 324, 326 and 307/34 of the Indian Penal Code.

The accusation is that on 03.05.2014 at about 3.30 P.M. petitioners along with Mohit Choudhary, Ranjay Choudhary and Lakhan Choudhary started abusing to the informant, at that time Lakhan Choudhary gave Garasa blow at the head of the Baleshwar Choudhary and petitioner Vijay Choudhary gave Kulhari blow at the head of the Kalash Choushary and petitioner Tuntun Choudhary gave dagger blow on Parwatiya Devi.

Learned counsel appearing on behalf of the petitioners

submits that while there is allegation against the petitioners to cause injury to Kalash Choudhary and Parwatiya Devi, out of five injuries found on the person of Kalash Choudhary, only one injury is found grievous in nature, whereas out of two injuries as found on the person of the Parwatiya Devi only injury no. 1 found grievous in nature. Further submission is that, in fact, the occurrence took place due to land dispute at the time of capturing of land of the petitioners by the prosecution party regarding which a counter case bearing Warsaliganj P.S. Case No. 95 of 2014 was also instituted on the basis of the written report of co-accused Vijay Choudhary against the informant and others under Sections 341, 323, 324, 326, 307 and 504/34 of the Indian Penal Code. The petitioners have got no criminal antecedent and they are in custody since 15.09.2015.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada in connection with Warsaliganj P.S. Case No. 94 of 2014.

(Rajendra Kumar Mishra, J)

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