

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54615 of 2017

Arising Out of PS.Case No. -232 Year- 2017 Thana -RAJPUR District- BUXAR

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1. Vishal Choubey, Son of Rama Kant Choubey,
2. Rama Kant Choubey,
3. Srikant Choubey Both Sons of late Mohan Choubey, All R/o Village-
Hethua, P.S.- Rajpur, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
For the Opposite Party/s : Mr. Sri Asharaf Ansari
For the Informant/s : Mr. Rang Nath Choubey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 14-12-2017 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners seek bail in connection with Rajpur
P.S. Case No. 232 of 2017 registered under Sections 341, 323,
307, 379, 504, 506/34 of the Indian Penal Code.

As per prosecution case, taking the brother of the
informant namely, Vikram Singh at his house on the order of
Ramakant Choubey, Dilmadi Choubey assaulted on his head by
means of rod, Vishal Choubey assaulted on his hand by means of
lathi and Srikant Choubey assaulted on his nose, face by means of
brickbat while Dharmendra Choubey assaulted on his chest by
means of leg.

It is submitted by learned counsel for the petitioner
that the petitioner no. 2 Rama Kant Choubey is only order giver.



The petitioner no. 1 Vishal Choubey is said to have assaulted on the hand of the victim but no injury has been found by the doctor on his hand. While injury on the upper lip and left eyebrow of the victim has been opined by the doctor as simple in nature and head injury found grievous in nature is not attributed to the petitioners. As a matter of fact, the informant has filed false and frivolous case against the petitioners in order to save the skin of Bikram Singh who is an accused in Rajpur P.S. Case no. 231 of 2017 lodged by the petitioner (Srikant Choubey) for entering into his house to commit theft. The petitioners have been languishing in custody since 28.08.2017.

On the other hand, it is submitted by learned counsel for the informant that taking the brother of the informant at his house he was brutally assaulted by the petitioners.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged 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 Additional Chief Judicial Magistrate-VIIth, Buxar in connection with Rajpur P.S. Case No. 232 of 2017.

(Prakash Chandra Jaiswal, J)

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