

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28561 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Deepak Chaudhary @ Bhuta Chaudhary Son of Kedar Chaudhary Resident
of Village-Tilangahi, Police Station-Bairiya, District-West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party : Mr. Bharat Lal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Bairiya P.S. Case No. 10 of 2017 for the offences instituted
under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 379/34
of the I.P.C.

The prosecution story, in brief, is that on 08.01.2017 at
about 4.45 O'clock or 5.15 O'clock, Deepak Chaudhary @ Bhutta
Chaudhary, Kedar Chaudhary, Mantu Chaudhary, Mithu
Chaudhary, Seema Devi and Sunari Kumari @ Pushpa Kumari,
came at the door of informant and started abusing him by saying
that why he came through their agricultural land which was



protested by the informant. Thereafter, co-accused Deepak Chaudhary and unknown persons gave a Farsa blow on the right hand of the niece of the informant, namely, Premsheela Kumari, then Deepak Chaudhary took away golden chain from her neck. Deepak Chaudhary @ Bhutta Chaudhary gave Farsha blow on the head of the nephew of informant, namely, Sunil Kumar. It has further been alleged that the alleged occurrence took place in absence of informant and his two brothers. Thereafter, the informant and his two brothers came to their house and took away both the injured to M.J.K. Hospital Bettiah, from where injured Sunil Kumar was referred to P.M.C.H., Patna. It has further been alleged that Kedar Chaudhary was armed with gun. Mithu Chaudhary was armed with Bhala and other unknown persons were armed with Lathi and Farsha. The informant came to know about the occurrence through his niece. He further alleged that cause of occurrence is that since his brother is Up-Sarpanch and has done a Panchayati in the love affair matter of Deepak Chaudhary @ Bhutta Chaudhary.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. The allegation is of



assault by Farsa as to when the injury report indicates that the injury is caused by hard and blunt substance. The present case has been instituted due to land dispute.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bairiya P.S. Case No. 10/2017 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th A.C.J.M., West Champaran at Bettiah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

