

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1005 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -BADHAILA District- SASARAM (ROHTAS)

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1. Buchun Chaudhary Son of Late Ram Pyare Chaudhary, resident of
Village- Majhauri, Police Station- Sanjhauli, District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Chhote Lal Mishra, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 08-05-2017 Heard learned counsel for the appellant as well as
learned SPP for the State.

As the accused persons began to erect wall over the
plinth given by the prosecution party, informant had asked for
expenses incurred thereupon and in the aforesaid background,
Baliram Singh, Sonu Singh, Buchun Chaudhary (appellant) who
happens to be father-in-law of Baliram Singh, wife of Baliram
Singh, mother of Sonu Singh, Bhaujaee of Baliram Singh armed
variously made house trespass and assaulted the deceased,
Shankar Ram. At that very time, Baliram Singh, Sonu Singh were
armed with Gadhal while Buchun Chaudhary was armed with
Bamboo. Female folks were provoking to assault. All the
witnesses have stated in similar way giving omnibus allegation.

During course of postmortem, the doctor had found



three ante-mortem injuries-(1) Swelling 3"x1" over Rt side temporal region. (2) Abrasion 2"x1" over Lt. knee.(3) abrasion 1 ½"x1" over Lt. elbow and further on dissection there was fracture of right temporal bone which happens to be cause of death and on account thereof, appellant. Buchun Chaudhary is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of additional Chief Judicial Magistrate, Rohtas at Sasaram in Baghaila PS Case No. 38 of 2016, after setting aside the order dated 05.08.2016 passed by 1st Additional Sessions Judge, Rohtas at Sasaram.

Thus, appeal is allowed.

(Aditya Kumar Trivedi, J)

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