

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33375 of 2017

Arising Out of PS.Case No. -111 Year- 2017 Thana -MANIHARI District- KATIHAR

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Amresh Kumar Chaurasia @ Amrendra Kumar Chauras @ Amrendra Kumar Chaurasia, son of Sri Dhirendra Prasad Chourasia, resident of village-Manihari, Police Station-Manihari, District-Katihar.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 15-09-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Manihari P.S. Case No.111 of 2017 registered under Sections 341, 323, 307, 354(B) and 379/34 of the Indian Penal Code.

The accusation is that while the informant Lalita Devi was getting the peg fixed in her old house by the labourers, at that time, Dhierendra Chaurasia, his wife Sunita Devi, both sons Manish Kumar Chaurasia and Amresh Kumar Chaurasia (petitioner) armed with Khanti and Lathi came there and forbade the informant to fix the peg. When the informant made protest, Dhirendra Chaurasia and his wife Sunita Devi asked their both sons to kill her. Thereafter, Manish Chaurasia caused blood



oozing injury through Khanti at the head of the informant. When Munna Bhagat, the brother of the informant, rushed to save her, this petitioner and his brother Manish Chaurasia caused injury at his head through Khanti. In the meantime, when Surendra Prasad Chaurasia, the husband of the informant, came there, Dhierendra Prasad Chaurasia caused injury at his head through lathi. Thereafter, this petitioner and Manish Chaurasia assaulted the informant by dragging.

Learned counsel appearing on behalf of the petitioner submits that, in fact, due to some dispute, the occurrence of “Maar-Peet” took place in between the parties in which the petitioner’s side also sustained injury regarding which on the basis of the written report of Dhirendra Prasad Chaurasia, the father of the petitioner, Manihari P.S. Case No.112 of 2017 under Sections 341, 504, 323, 307 and 379/34 of the Indian Penal Code was also instituted against the informant and others. Moreover, while the allegation against the petitioner is to cause injury to Munna Bhagat, the brother of the informant, at his head through Khanti but the two injuries, as found on his person, are simple in nature.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail



on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Smt. Swati Singh, Judicial Magistrate, First Class, Katihar, in connection with Manihari P.S. Case No.111 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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