

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64753 of 2018

Arising Out of PS.Case No. -434 Year- 2018 Thana -BUXAR District- BUXAR

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Subham Chourasiya @ Shubham Kumar Chaurasiya, S/o Barmeshwar
Nath Chaurasiya, R/O Village-Bagen, P.S. Bagengola, Distt. Buxar, At
present R/O Aadarshnagar Ward No. 11, P.S. Buxar (T), District-Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-10-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 147, 148, 149, 307, 326 of the Indian Penal Code
and 27 of the Arms Act.

The prosecution case, in brief, is that while in course of
returning from market, the informant reached near the house of
Manish Kumar, the named accused persons along with some
unknown persons surrounded him and started abusing. On protest
made by him, the accused persons caused injury upon him by
means of Lathi and Danda.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The



petitioner has been falsely implicated in the present case. The main allegation is against co-accused Diwakar Yadav who fired upon the informant. General and omnibus allegation has been made against the petitioner. The allegation against rest of the accused persons including the petitioner is of assaulting the informant by Lathi and Danda. As per injury report, there is only one injury caused by fire-arms. The allegation made in the FIR in respect of assault by Lathi and Danda does not find support from the injury report.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (T) P.S. Case No. 434 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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