

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69895 of 2018

Arising Out of PS. Case No.-155 Year-2018 Thana- HISUWA District- Nawada

Kamlesh Chaurasiya, Son of Late Bisho Chourasiya, Resident of Village-
Manjhwe, P.S.- Hisua, District- Nawada. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 354, 504 and 506 of the Indian Penal Code.

The prosecution case, as per the fardbeyan of Pankaj Kumar dated 19.05.2018 at 10.00 P.M. recorded by S.I. Dinkar Dayal, Nawada Town P.S., at Emergency Ward, Sadar Hospital, Nawada, is to the effect that informant Pankaj Kumar, performed Court Marriage with Puja Kumari, daughter of the petitioner, leading to registration of a case with accusation of kidnapping being Hisua P.S. Case No. 50 of 2017 against the informant. It is further alleged that on 19.05.2018, the accused persons including the petitioner came to the shop of the informant and started assaulting him and thereafter the



informant was brought to Chaurasiya Panchayat Bhawan where co-accused Biru Chaurasiya and Rupesh Chaurasiya caught hold of the informant and the petitioner assaulted with handle of hand-pump on his chest. Thereafter, co-accused Rajesh Kumar and Ravi Chaurasiya climbed upon the chest of the informant and assaulted him. It is further alleged that when the mother of the informant came to rescue him, the petitioner abused her and outraged her modesty.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of earlier case lodged by the petitioner against the informant and the injuries are found to be simple in nature caused by hard and blunt substance. It is further submitted that for the occurrence of 19.05.2018, the FIR was lodged on 06.06.2018. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation is specific against the petitioner.

Considering the accusation in the background of earlier case lodged by the petitioner against the informant coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the



above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, 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, Nawada in connection with Hisua P.S. Case No. 155 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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