

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70814 of 2018

Arising Out of PS. Case No.-191 Year-2018 Thana- PHULWARIYA District- Gopalganj

Satyendra Chauhan @ Sattan, Son of Late Timal Chauhan, Resident of
Village- Jagdishpur, P.S.- Fulwaria, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Opposite Party/s : Mr. Sri Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 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 341, 323, 324 and 307/34 of the Indian Penal Code.

The prosecution case as per the written report of Raja Singh submitted to the Station House Officer of Sripur O.P. is to the effect that on 23.08.2018 at around 9.00 A.M. while the road was under construction, the informant found that Satyendra Chauhan, the petitioner and co-accused Upendra Chauhan and Surendra Chauhan, were constructing a speed breaker on the road in question. On protest petitioner, Satyendra Chauhan



inflicted Garasi blow on the head of the informant and the co-accused Surendra Chauhan gave a blow with a spade, causing bleeding injury. Thereafter, co-accused Upendra Chauhan and Mithu Chauhan throttled the informant's neck and assaulted with axe and garasi.

It is submitted by learned counsel for the petitioner that the petitioner is alleged to have assaulted with a sharp cutting weapon like Garasi but the injury report suggests the injury to be simple in nature and caused by a hard and blunt substance. 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 petitioner is named in the First Information Report with specific accusation.

Considering that the accusation does not get corroborated with the medical opinion, 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 Additional Chief Judicial Magistrate-XIII, Gopalganj in connection with Fulwaria P.S. Case No. 191 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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