

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61638 of 2018

Arising Out of PS. Case No.-288 Year-2016 Thana- WARISLIGANJ District- Nawada

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1. Ajit Chauhan @ Ajeet Kumar, Son of Thakur Chauhan,
 2. Shaila Devi, Wife of Thakur Chauhan,
 3. Pradeep Chauhan, Son of Rajo Chauhan,
 4. Thakur Chauhan, Son of Dukhi Chauhan, All Resident of Village- Jogana, P.S.- Warisaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-12-2018

Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,308,385,379 and 504/34 of the IPC.

The prosecution case as per the written report of Bhagwan Das Sah submitted to the SHO, Warisaliganj is to the effect that on 3.12.2016 at about 8.30 A.M., while the informant was at his shop, all four FIR named accused persons came variously armed when petitioner no. 2 Shaila Devi assaulted with sickle which hit on the right cheek causing cut injury to the informant. Petitioner no. 1 assaulted with an iron rod on the right leg of the informant and the whole occurrence took place on the order of petitioner no. 4. Petitioner no. 1 and 3 took away Rupees Seven Thousand and a gold chain from the informant. It is also alleged that Rupees Ten



Thousand was taken by petitioner no. 4 as a loan and when demand of the same was made by the informant, petitioner no. 4 assaulted the informant.

It is submitted by learned counsel for the petitioners that the injury has been found to be superficial simple in nature and in the background of previous dispute, the accusation has been levelled against the petitioners. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the genesis of the occurrence and the fact that injury of the informant has been found to be simple in nature, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Nawada, in connection with Warisaliganj P.S. Case No.288 of 2016 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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