

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50001 of 2018

Arising Out of PS. Case No.-5 Year-2018 Thana- SIMRI District- Buxar

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1. Sanjay Chauhan
 2. Subhash Chauhan Both Sons of Ram Pravesh Chauhan.
 3. Gauri Chauhan @ Gauri Shankar Chauhan, Son of Late Inderdeo Chauhan.
 4. Jag Narayan Chauhan, Son of Gauri Shankar Chauhan.
 5. Anil Chauhan, Son of Ram Jash Chauhan.
 6. Ram Jash Chauhan, Son of Late Inderdeo Chauhan. All resident of Village- Simri, Halba Patti, P.S. Simri, District Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Shailendra Kumar -1

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Simri P.S. Case no. 05 of 2018, registered under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code.

The accusation is that 15 persons named in the F.I.R. including the petitioners, reached at the door of the informant Nageshwar Chouhan and started to abuse giving direction to remove the hut, when informant made protest then all the accused persons assaulted him by means of fist and



slaps. Thereafter, Jitendra Chauhan and Duphendra Chauhan rushed to save him then they were also assaulted by means of Iron rod by Sanjay Vidyapati and Gorakh and other nephews of the informant also rushed then they were also assaulted by petitioner No.2 Subhash Chauhan. When Santosh Chauhan, another nephew of the informant, came to save him then he was also assaulted by Siyaram Chauhan, Dipak Chauhan and Shyambihari Chauhan by means of Lathi and Farsa.

Learned counsel for the petitioners submits that, in fact, occurrence of Marpit took place due to land dispute in which petitioner side also sustained injuries regarding which Simri P.S. Case No. 06 of 2018 is instituted on the basis of written report of Sri Niwas Chauhan, who is also shown as accused in this case. Further submission is that, moreover, the injuries as found on the person of informant and his nephews are of simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M-IV,



Buxar in connection with Simari P.S. Case No. 05 of 2018,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Rajendra Kumar Mishra, J)

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