

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17409 of 2019**

Arising Out of PS. Case No.-89 Year-2018 Thana- ALAMNAGAR District- Madhepura

Ghuran Chaudhary @ Devanand Choudhary, Son of Late Manoj Chaudhary
Resident of Village- Kishanpur Ratwara, P.S.- Alamnagar (Ratwara), District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Pratap Singh
For the Opposite Party/s : Mr.Satyendra Prasad

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 29-03-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since 02.12.2018
in connection with Alamnagar (Ratwara O.P.) P.S. Case No.89 of 2018
(S.Tr. No.222 of 2018) registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the Indian
Penal Code.

The prosecution case, as per the written report of Arjun
Sharma, submitted to S.H.O., Ratwara P.S. is to the effect that on
30.04.2018 at 1:00 P.M., the son of the informant was sleeping near
door, in the mean time, all the FIR named accused persons including
the petitioner came variously armed with lathi, danda, iron rod and
surrounded his house and co-accused Prakash Sahni having pistol
pulled the informant's son out of door and ordered to kiil him,
whereupon, the petitioner Ghuran Chudhary assaulted him with Dabia
causing severe injury on his head. It is further alleged that all the FIR



named accused person took away a radio worth Rs.1000/- as well as two gold-chains from the neck of the son and nephew of informant and a cash of Rs.25,000/-.

It is submitted by learned counsel for the petitioner that there is no accusation of repeating blow and injury report suggests that the injury are simple in nature. It is further submitted that there is counter case filed from the petitioner's side being Alamnagar (Ratwara O.P.) P.S. Case No.90 of 2018. It is further submitted that the petitioner is not having criminal antecedent, statement to that effect is made in paragraph no.3 of the bail application.

Learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that there is specific accusation of assault against the petitioner.

Considering the fact that there is no accusation of repeating blow and there being a counter version of the occurrence, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Madhepura in connection with Alamnagar (Ratwara O.P.) P.S. Case No.89 of 2018 (S.Tr. No.222 of 2018).

(Dinesh Kumar Singh, J)

sanjeev/-

U		T	
---	--	---	--

