

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20857 of 2019

Arising Out of PS. Case No.-131 Year-2018 Thana- NAUHATTA District- Rohtas

Ashok Chaudhary, s/o Late Rampyare Chaudhary @ Rampyari Chaudhary
R/o village- Ulli, P.S.- Nauhatta, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh
For the Opposite Party/s : Mr.Bharat Bhushan(App156)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

It is submitted by learned counsel for the petitioner
that in the impugned order, it is mentioned that the petitioner is
in custody from 16.01.2019 which is an error on record.

The petitioner is languishing in custody since
13.11.2018 in connection with Nauhatta P.S. Case No.131 of
2018 registered for the offences punishable under Sections 147,
148, 341, 323, 324, 307, 504 of the Indian Penal Code.

The prosecution case, as per the written report of
Dharmendra Chaudhary submitted to S.H.O. Nauhatta P.S. is to
the effect that all the nine FIR named accused persons including
the petitioner came with variously armed and started abusing the
informant. There is specific allegation against the petitioner that



he assaulted with tangi on the head of Gautam Chaudhary. The younger brother of the informant Chandadeep Chaudhary was assaulted with tangi by co-accused Buchun Chaudhary on his head, cheek and temporal region. The younger brother of the informant Angad Chaudhary was assaulted by petitioner and other co-accused persons causing a cut injury. The mother of the informant was also assaulted by co-accused Nandlal Chaudhary with Garasa.

It is submitted by learned counsel for the petitioner that in the background of land dispute, accusation has been levelled against the petitioner. There is counter version of the occurrence being Nauhatta P.S. Case No.132 of 2018 for the offences punishable under Sections 147, 148, 341, 323, 324, 307, 504, 448 of the IPC. It is further submitted that the only one injury of Chandra has been found grievous. It is further submitted that the petitioner is not having criminal antecedent, statement to that effect has been 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 the specific accusation against the petitioner to have assaulted to brothers of the



informant.

Considering the nature of accusation and the fact that the only one injury has been found grievous in nature, investigation has already been concluded and the fact that petitioner is not having criminal antecedent, 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.C.J.M., Dehri, District-Rohtas in connection with Nauhatta P.S. Case No.131 of 2018

sanjeev/-

(Dinesh Kumar Singh, J)

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