

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44419 of 2019

Arising Out of PS. Case No.-134 Year-2014 Thana- GURUA District- Gaya

Chintu Chauhan S/o Bhushan Chauhan @ Bhushan Prasad Resident of
Village- Mahuabag, P.S.- Parsa, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Pancha Nand Pandit

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 19-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Gurua P.S. Case No. 134 of 2014 registered for the offence
punishable under Sections 147, 148, 149, 323, 325, 504, 307
and 302 of the Indian Penal Code.

One Reena Devi assaulted the cow of the informant
by means of peg over drinking water in her pot, resultantly, the
cow died. Whereupon said Reena Devi rushed to her maternal
house and took back her brother Chintu Chauhan and others
named in the FIR and assaulted the informant and his family
members by means of lathi, danda and khanti slating them in the
name of their caste. Father of the informant succumbed to injury



while his other family members sustained injury in the occurrence.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case merely because he happens to be brother of Reena Devi. Allegation levelled against the petitioner is not specific rather general and omnibus in nature. Altogether 22 persons are said to have assaulted the family members of the informant including his father and brother Santosh Chauhan but barring injury report of Santosh Chauhan and postmortem report of his father, there is no injury report in the case diary. Said Santosh Chauhan has suffered simple injury barring one grievous injury on the forearm and the deceased has sustained only three bruise, one on abdomen, second one on the back of the chest and third one on the back. As there were 22 assailants in the occurrence, hence, the assailant of the said injuries of the deceased cannot be ascertained. Petitioner has no criminal antecedent. Similarly situated co-accused Reena Devi and her husband have been enlarged on regular by a co-ordinate Bench of this Court vide order dated 31.08.2015 passed in Cr. Misc. No. 36986 of 2015 and Chandrawati Devi has been enlarged on anticipatory bail by



a co-ordinate Bench of this Court vide order dated 08.04.2019 passed in Cr. Misc. No. 22058 of 2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Gaya in connection with Gurua P.S. Case No. 134 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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