

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68121 of 2019

Arising Out of PS. Case No.-208 Year-2019 Thana- WAJIRGANJ District- Gaya

1. BALESHWAR CHAUHAN Son of Late Lekha Chauhan Resident of Village- Tarwan, Tola, Beldari Police Station- Wazirganj and District- Gaya.
2. Shakti Chauhan Son of Late Lekha Chauhan Resident of Village- Tarwan, Tola, Beldari Police Station- Wazirganj and District- Gaya.
3. Abhishek Chauhan Son of Baleshwar Chauhan Resident of Village- Tarwan, Tola, Beldari Police Station- Wazirganj and District- Gaya.
4. Angesh Chauhan @ Angesh Chouhan Son of Baleshwar Chauhan Resident of Village- Tarwan, Tola, Beldari Police Station- Wazirganj and District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Wazirganj P.S. Case No.208 of 2019/G.R. No.3552 of 2019 registered under Sections 341, 323, 308, 448, 379 and 504/34 of the Indian Penal Code.

The accusation is that in the evening of 01.07.2019, the informant Ramanand Chauhan was present at his house. At that time, the petitioners came there and started to abuse. When the informant made protest, then Angesh Chauhan (petitioner



no.4) gave khanti blow at his head causing blood oozing injury. When Prahlad Kumar, the son of the informant, rushed to save, then petitioner no.2 gave 'Chapar' blow at his leg causing blood oozing injury at the hill of his both legs. At that time, Khushboo Kumari, the daughter of the informant, rushed to save, then the petitioner no.2 started to abused and caused assault to her through fists and slaps. When the protest was made, then the petitioner no.2 caused assault to the daughter of the informant through lathi and when she fell down, he snatched the gold chain from her neck. At that time, the petitioner no.4 caused injury at the forehead of Randhir Kumar, the nephew of the informant, through the butt of the pistol.

Learned counsel for the petitioners submits that due to drain dispute, situated in between the house of the informant and the petitioners, the occurrence of "Maar-Peet" took place between the parties in which the petitioners' side also sustained injury regarding which on the basis of the fardbeyan of the petitioner no.1 Baleshwar Chauhan, Wazirganj P.S. Case No.209 of 2019 was also instituted against the prosecution party. Further submission is that the injuries, as found on the person of all the injured, were simple in nature except one injury as found on the forehead of the informant, i.e., 3½" x 2" x 2½", touching



the bone, which is said to be grievous in nature.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Gaya, in connection with Wazirganj P.S. Case No.208 of 2019/G.R. No.3552 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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

