

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75510 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- PARWALPUR District- Nalanda

1. Sudhanshu Chouhan Son of Umesh Chouhan, Resident of Village - Dharampur, P.S.- Chandi, District - Nalanda.
2. Pravila Devi Wife of Baldeo Chouhan, Resident of Village - Shivchak Bigha (Beldari per), P.S.- Parwalpur, District - Nalanda.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajiv Nayan, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Parwalpur P.S. Case No. 167 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 302, 307, 504 and 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that these petitioners are not the assailant of the deceased and the allegations against them are of causing assault on wife of the informant by Lathi but there is no specific allegation of assault against these petitioners. The specific allegation to give lathi blow to the wife of deceased is against co-accused Siya Ram



Chouhan as a result of which she sustained injury on her head. It is further submitted that general and vague allegation has been attributed against the petitioners to assault wife of the informant and the petitioners are in custody since 06.08.2019.

Learned A.P.P. for the State has opposed the prayer for bail, however, did not controvert the submission that general and vague allegation has been attributed against the petitioners.

Considering the facts and circumstances of the case, wherein it is the submission of the learned counsel for the petitioners that these petitioners are not the assailant of the deceased and the allegations against them are of causing assault on wife of the informant by Lathi but there is no specific allegation of assault against these petitioners and this aspect of the matter has not been controverted by the learned A.P.P. for the State and the petitioners are in custody since 06.08.2019, let the petitioners above named be released on bail in connection with Parwalpur P.S. Case No. 167 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with



the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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