

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67860 of 2019

Arising Out of PS. Case No.-145 Year-2019 Thana- ASHTHAWAN District- Nalanda

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VIJAY CHAUHAN Son of Birendra Chauhan Resident of Village - Ganichak,
P.S.- Asthawan, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate.

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34, 341 of the Indian
Penal Code.

Co-accused Birendra Chauhan the father of this
petitioner allegedly assaulted to Surendra Chauhan and pressed
on his neck. Thereafter, Birendra Chauhan and this petitioner
assaulted to Surendra Chauhan and during course of treatment
Surendra Chauhan died.

Learned counsel for the petitioner submits that there
is no injury report of the deceased and the post-mortem would
reveal that the deceased died of some different reasons. On
external examination the doctor found right elbow and forearm



of the deceased burnt and blackened (Approx 3"x2") adjoining part of upper arm contains few blisters (Approx 1-2"dia) containing serous fluid. There was ulcer over right upper arm.

Submission is that the aforesaid injuries which were found by the doctor were not allegedly caused by the father of the petitioner or the Petitioner. The false allegation is general and omnibus, due to some other dispute. Petitioner is in custody since 6.7.2019. Investigation of the case is already complete.

Learned counsel for the informant opposed prayer for bail.

Considering the facts aforesaid which does not reveal any direct material against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Asthawan Police Station Case No. 145 of 2019, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial



jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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