

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 85803 of 2019**

Arising Out of PS. Case No.-434 Year-2019 Thana- HILSA District- Nalanda

Radheshyam Chauhan Son of Late Bishun Chauhan Resident of Village -
Puna Nonia Bigha, P.S.- Hilsa, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binit Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **16-01-2020** Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Hilsa Police Station (for
brevity, *PS*) Case No 434 of 2019 instituted for the offence
punishable under Section (s) 326/34 of Indian Penal Code and
Section 27 of Arms Act.

The prosecution case is that after irrigating his field when
the informant reached near Mahadev Asthan, Bhagwan Chauhan
along with instant petitioner fired upon him. Learned counsel
for the petitioner submits that injury caused to the informant is
attributed to petitioner's son, namely, Bhagwan Chauhan. The
firing attributed to the petitioner did not cause any injury to any
person. Petitioner is in custody since 11.11.2019. It is also



submitted that earlier prayer of petitioner for his anticipatory bail had been allowed in Cr Misc No 80541 of 2019. However, on account of his arrest in the meantime, he is in custody.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Hilsa (Nalanda) in connection with Hilsa PS Case No 434 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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

