

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31616 of 2020

Arising Out of PS. Case No.-85 Year-2019 Thana- NAYA RAM NAGAR District- Munger

SANJIB CHAURASIA @ SANJEEV CHAURASIA @ SANJEEV KUMAR
CHAURASIA Son of Ram Swarup Chaurasia @ Ram Swarup Prasad
Resident of English Patam, P.S.- Naya Ram Nagar, District- Munger.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Amit Kumar Jha, Advocate.
For the State : Mr. Jharkhandi Upadhyay, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 07-04-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Naya
Ram Nagar P.S. Case No.85 of 2019 registered under Sections
147, 148, 149, 307 and 302 of the Indian Penal Code.

The accusation is that Vivek Kumar, son of the
informant, Sadhna Devi, and Vikas Yadav, were entertaining the
festival of Holi, at that time, 15 persons, named in the first
information report, and 10-15 unknown reached there, variously
armed with weapons. At that time, Vidotma Devi and Sanjib
Chaurasia asked to kill on which Mukesh Kumar and Rajesh
Chaurasia caught hold Vivek Kumar and Vibhundeoo Mandal and
Sanjay Tanti caught hold Vikas Yadav, thereafter, Sanjib



Chaurasia (petitioner) and Rashmi Chaurasia throw farsa which caused injury to Vivek Kumar, son of the informant. Shashi Bhushan Chaurasia, Rajesh Chaurasia and Mukul Kumar also caused injury through iron rod. Vikas Yadav was also assaulted by Mrityunjai Kumar, Manish Kumar, Suraj Mandal, Chhotu Mandal and Sunil Mandal.

Learned counsel appearing on behalf of the petitioner submits that, earlier, the prayer of the petitioner for grant of bail was rejected by this Court vide order dated 24.02.2020 passed in Criminal Misc. No.64704 of 2019 on merit. Further submission is that while the specific allegation is against the petitioner and the co-accused Rashmi Chourasia to give Farsa blow at the deceased but only one sharp cutting injury, in addition to seven injuries caused by hard and blunt substance, was found on the person of the deceased and similarly situated co-accused Rashmi Chourasia alias Rashim Chourasia alias Naveen Chaurasi alias Rosmi Choursya has already been granted bail by a Bench of this Court vide order dated 14.08.2020 passed in Criminal Misc. No.62228 of 2019. The petitioner is in custody since 22.03.2019.

Having regard to the facts and the circumstances of the case and also considering the period of the petitioner in



custody, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Munger, in connection with Naya Ram Nagar P.S. Case No.85 of 2019.

(Rajendra Kumar Mishra, J)

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