

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.147 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- GOGRI District- Khagaria

1. Pitambar Chaurasia, Son of Yugo Chaurasia, Resident of Village -harinagar, P.-s.- Maheshkhunt, District - Khagaria.
2. Bikash Chaurasia, Son of Yugo Chaurasia, Resident of Village -Harinagar, P.S.- Maheshkhunt, District - Khagaria.
3. Balram Chaurasia, Son of Yugo Chaurasia, Resident of Village -Harinagar, P.S.- Maheshkhunt, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate.
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Gogri P.S. Case No. 229 of 2020, registered under Sections 147, 149, 448, 341, 323, 324, 504, 506, 307, 379 and 188 of the Indian Penal Code.

The accusation is that 8 Katha 3 Dhur land is in the



name of late Sarju Barai, grandfather of informant, Ratan Chaurasia, in which, house and orchard are situated. All petitioners along with Mukesh Chourasia, Pesran Mugo Chourasia, Bugu Chourasia and Maheshwar Chourasia firstly managed to lodge none FIR Case No. 14 of 2020 under Section 144 of the Cr.P.C. and thereafter, started to construct the house over the vacant land. When the informant made protest then aforesaid persons along with Bittu Kumar, Niraj Kumar, Rahul Kumar, Raman Kumar, Prashant Kumar and Golu Kumar under conspiracy started to cause assault through lathi. At that time, Niraj Kumar and Prashant Kumar caused injury through spade and Khanti and Rahul Kumar and Raman Kumar also caused injury to him through fist and slaps.

Learned counsel for the petitioners submits that while the petitioners are named in the FIR but no specific overt act has been attributed against them. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Gogri P.S. Case No. 229 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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