

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.190 of 2021

Arising Out of PS. Case No.-125 Year-2020 Thana- DURAULI District- Siwan

Ambesh Chaubey, son of Jitendra Chaubey, Resident of Village- Garwar, P.S.-
Darauli, District- Siwan (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar, Advocate.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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

ORAL ORDER

2 21-08-2021 As prayed for, let the learned counsel appearing for

the petitioner 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 petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Darauli P.S. Case No. 125 of 2020, registered under
Sections 341, 323, 324, 307, 379, 448, 504 and 506/34 of the
Indian Penal Code.

The accusation is that Jitendra Chaubey and
Satendra Chaubey, who are *Patidar* of the informant, Mirtunjay
Chaubey, started to damage the courtyard and floor of courtyard



situated in the share of the informant. When the informant made protest saying that there is no partition of the property then all started to abuse. At that time, Ambesh Chaubey (petitioner) and Rakesh Choubey came there having sword and iron rod in their hands and started to abuse. At that time, Ambesh Chaubey (petitioner) gave sword blow causing injury at his head then he fell down. When, his brother, wife and son, respectively, Bidyanand Chaubey, Suman Devi and Manish Chaubey, came to save him then they were assaulted through iron rod, sword, lathi and danda. At that time, Rahul Chaubey laid his wife and Jitendra Chaubey snatched gold chain from her neck.

Learned counsel for the petitioner submits that petitioner and the informant are *Patidar* and due to land dispute, occurrence of *Marpit* took place, in which, petitioner's side also sustained injury, regarding which, Darauli P.S. Case No. 126 of 2020 is also instituted against the informant and others. Further submission is that the injuries, as found on the person of the informant and others, are simple in nature. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the



event of his 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) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Siwan, in connection with Darauli P.S. Case No. 125 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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