

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6307 of 2022

Arising Out of PS. Case No.-149 Year-2021 Thana- GAUNAHA District- West Champaran

Shri Krishna Chouhan @ Shri Krishna Mahto Son of late Ramashray Mahato
Resident of Village - Shri Rampur, P.S.- Gaunaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Gaunaha P.S. Case No. 149 of 2021 instituted for the offences
punishable under Sections 147, 148, 149, 447, 341 323, 324,
325 and 307 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 26.07.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that both
the parties are neighbors and there was a land dispute between
them and on account of the same dispute, Panna Lal Sah came



at the door of co-accused, Ajay Kumar and started abusing him. The instant case is counter blast of the case lodged by Ajay Kumar bearing Gaunaha P.S. Case No. 156 of 2021.

It is further submitted by the learned counsel for the petitioner that petitioner is not alleged to have assaulted anyone rather the thrust of accusation is against co-accused Hare Krishna Chauhan, who is alleged to have assaulted the informant Moti Sah and against co-accused Ajay Kumar, who is alleged to have assaulted informant's brother Panna Lal Prasad, who later on died during treatment.

Learned counsel for the petitioner submits that petitioner is named in the F.I.R but there is no specific allegation against him rather the allegation of assault is against three persons namely, Hare Krishna Chauhan, Ajay Chauhan, and Raj Kapoor Chauhan. It is further submitted that the petitioner is innocent and has falsely been implicated in this case on suspicion and village politics. It is further stated that this case is nothing but counter blast of the F.I.R. bearing Gaunaha P.S. Case No. 156 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody



since 26.07.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned J.M. 1st, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 149 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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