

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30981 of 2021

Arising Out of PS. Case No.-409 Year-2020 Thana- KATEYA District- Gopalganj

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MOHAN CHAUHAN Son of Late Shiv Chauhan Resident of Village -
Bankatiya, P.S.- Kateya, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-01-2022 Heard Mr. Vyas Kumar Mishra, learned Advocate
for the petitioner and Mr. Ashok Kumar, learned APP for
the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Kateya P.S. Case No. 409 of
2020 dated 03.12.2020 instituted for the offences under
Sections 406, 341, 323, 325, 504 and 506 of the Indian
Penal Code.

The petitioner is said to have assaulted the
informant who is his nephew by means of a bamboo stick
when he had demanded his passport back.

From the tenor of the accusation in the FIR, it
appears that the petitioner used to collect money as an
agent for sending persons to foreign country. Perhaps,
this could be the reason of the dispute between the
informant and the petitioner, who stands in relation of
uncle and nephew respectively.



Learned counsel for the petitioner has submitted that there has been some confusion in the mind of the informant behind lodging of this case. The petitioner had once introduced the informant to one of the persons who claimed to make passport and visa on cost.

Learned counsel for the petitioner has further submitted that the dispute appears to be something else but on the pretext of returning the passport, such case has been lodged.

The injuries suffered by the informant is only in the nature of swelling.

Considering the background facts and the relationship between the parties, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No. 409 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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