

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45574 of 2021

Arising Out of PS. Case No.-328 Year-2020 Thana- KAUWAKOL District- Nawada

1. Vijay Chouhan Son of Late Ramdeo Chouhan Resident of Village- Pali Beldariya, P.S.- Kawakole, District- Nawada.
2. Raj Kumar Chouhan Son of Rajendra Chouhan Resident of Village- Pali Beldariya, P.S.- Kawakole, District- Nawada.
3. Bishambhar Chouhan Son of Naresh Chouhan Resident of Village- Pali Beldariya, P.S.- Kawakole, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2022 Learned counsel for the petitioners does not want to press this application with regard to petitioner no. 2.

Accordingly, this application is dismissed as not pressed with regard to petitioner no. 2.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State for consideration of bail with regard to rest of the petitioners.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case



registered for the offence punishable under Sections 341, 323, 308, 354A, 504, 506/34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant by means of lathi, fists and slaps, resultantly, he received head injury.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioner no. 1 and 3. He submits that there is case and counter case between the parties and both sides have sustained injury. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts that the injury found upon the victim is simple in nature, the above named petitioner no. 1 and 3 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below



where the case is pending/successor court in connection with
Kawakole P.S. Case No. 328 of 2020, subject to the condition
as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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