

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55086 of 2021

Arising Out of PS. Case No.-105 Year-2021 Thana- JANDAHA District- Vaishali

Ganesh Kumar Chaudhary Son Of Masudan Chaudhary @ Madhusudan
Chaudhary R/O Village- Dih Buchauli, P.S. Jandaha, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravish Mishra, Adv.
For the State	:	Mr. Tapeswar Sharma, APP
For the informant	:	Mr. Mukesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-02-2022 Heard learned senior counsel for the petitioner,
learned APP for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Jandaha
P.S. Case No.105 of 2021 registered for the offence under
Sections 341, 323, 324, 307, 504, 379/34 of the IPC.

The learned senior counsel for the petitioner submits
that the petitioner is in custody since 14.07.2021, he is a person
with clean antecedent and charge sheet has been submitted in
this case.

The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the FIR, it would
manifest that the informant alleges that while he was going to
buy medicine this petitioner along with 5-6 persons was sitting
and intercepted the informant and the petitioner by *Garasa*



assaulted the informant on his left ear, shoulder, nose and head. Further the blow was repeated and also snatched gold chain worth Rs. 40000/-Rs.50000/- of the informant and Rs.1000/- from his pocket.

Learned counsel for the petitioner submits that from perusal of the injury report it would manifest that the informant received five injuries, out of which four were simple in nature and one injury was on the head which was two and a half inch deep. Learned counsel for the petitioner further submits that though there were six accused along with the petitioner but the entire allegation centers around the petitioner and the injuries also are not grievous in nature.

The learned APP and learned counsel for the informant opposes the bail application. The learned counsel for the informant submits that there is direct allegation against this petitioner of assaulting the informant, but is not able to meet the submission of the learned counsel of the petitioner that four of the injuries are simple in nature. The learned counsel for the informant at this stage submits that at least one injury was on the vital part of the body.

Considering the fact that the petitioner is in custody since 14.07.2021, he is a person with clean antecedent, charge



sheet has been submitted in this case and has antecedent but under Excise Act, and the injury has been recorded to be inflicted with hard and blunt substance when the allegation is of assault by *Garasa*, and four injuries are said to be simple, the petitioner, above named, is directed to be released on bail on furnishing bail bonds in the sum of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No.105 of 2021.

(Satyavrat Verma, J)

Prakash Narayan /-

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