

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69889 of 2021**

Arising Out of PS. Case No.-215 Year-2021 Thana- GOVINDGANJ District- East
Champanan

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BALISTER CHAUDHARY, Son of Bharat Raut Resident of Village-
Manguraha, P.S.- Govindganj, District- East Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Dhanendra Chaubey
For the Opposite Party/s	:	Mr. Chndrabhushan Prasad, APP
For the informant	:	Mr. Madhurendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-04-2022 Heard the learned counsel for the petitioner, the learned
APP for the State and learned counsel for the informant.

The petitioner seeks bail in a case registered for the
offences under Sections 143, 341, 448, 307, 324, 323, 504, 379, 506
and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 02.10.2021, he is a person with clean
antecedent, charge-sheet has been submitted and the informant
alleges that ten named accused persons including the petitioner
along with 20 unknown accused came variously armed with Sword,
Farsa, Garasa, rod and started abusing and assaulting him and his
brother with an intention to kill and took away their belongings.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, the date of
occurrence is 13.07.2021 and the FIR was instituted on 17.07.2021,



i.e., after a delay of 4 days without any plausible explanation and even the injury on the injured is simple in nature. It is further submitted that there is no specific allegation of assault against any of the accused.

The learned A.P.P. and learned counsel for the informant vehemently oppose the bail application but are not able to meet the submissions of learned counsel for the petitioner that there is no specific allegation of assault against any of the accused person in the FIR.

Considering the fact that petitioner is in custody since 02.10.2021, he is a person with clean antecedent, charge-sheet has been submitted and the FIR was instituted after a delay of 4 days and the injuries are simple in nature, the petitioner, above-named, is directed to be released on bail on his 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 Court below where the case is pending in connection with Govindganj P.S. Case No. 215 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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