

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14663 of 2023

Arising Out of PS. Case No.-258 Year-2022 Thana- GOVINDGANJ District- East
Champaran

=====

Chanchal Kumar @ Gaurav Kumar Son Of Ashok Prasad R/O Areraj Ward
No.2, P.S.- Gobindganj (ARERAJ), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

The accused/petitioner is named in the F.I.R. and
apprehended his arrest in connection with Gobindganj (Areraj)
P.S. Case No.258 of 2022 registered for the offences punishable
under Sections 147, 148, 341, 323, 325, 307, and 379 of the
Indian Penal Code.

The allegation against the petitioner is to assault
informant and others by means of iron rod causing head and
bodily injuries, having intention to cause their death, where
occurrence arises out of longstanding land disputes.

Learned counsel appearing on behalf of the petitioner



submitted that occurrence is of free fight in nature, where both parties received injuries, where petitioner was not under intention to cause death of informant and other injured persons. It is also submitted that for the same set of occurrence counter case was also lodged from petitioner's side registered as Gobindganj (Areraj) P.S. Case No.259 of 2022 and also submitted that present F.I.R. was lodged with the delay of seven days without any just explanation suggesting only an afterthought. It is also submitted that nature of injuries reported after medical examination is appearing simple which suggests that same is not sufficient to cause death in the ordinary course of nature. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as occurrence appears free fight in nature, where injury received by injured were reported simple after their medical examination, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari/concerned Court below where the case is pending in connection with Gobindganj (Areraj) P.S. Case No.258 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

U		T	
---	--	---	--

