

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66980 of 2022**

Arising Out of PS. Case No.-522 Year-2021 Thana- BASANTPUR District- Siwan

Nikhil Kumar Chauhan S/o Rameshwar Prasad, Resident of Village-  
Molnapur, P.S.- Basantpur, District- Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr. Prashant Kumar, Adv.      |
| For the State        | : | Mr. Ram Sevak Choudhary, APP. |
| For the Informant    | : | Mr. Ajay Kumar Pandey, Adv.   |

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      25-02-2023                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks regular bail in connection with  
Basantpur P.S. Case No. 522 of 2021, lodged under Sections  
341, 323, 324, 307, 506, 34 of the Indian Penal Code.

As per prosecution case, the F.I.R. has been lodged by  
the informant alleging therein that he went to market with his  
son to purchase vegetables, in the meantime co-villager  
(petitioner) has attacked by knife on the head of informant's  
son, thereafter, the said co-villager (petitioner) has continuously  
attacked multiple times by knife on the back of the informant's



son, due to which he was brutally injured. Subsequently when the petitioner started fleeing then a co-villager has tried to stop him but he also attacked on him by his knife. Subsequently the allegation against the petitioner that he is now threatening him to withdraw the case thereafter the case was filed.

Learned counsel for the petitioner submits that petitioner and informant belongs to same village and for the same date and place of occurrence, there are case and counter case. The mother of petitioner has filed criminal case, in which, the injured Anurag was made accused alleging that he was trying to outrage the modesty of petitioner's sister and upon complaint in his family they become ready to fight and also entered in the house of the petitioner. He further submits that antecedent of petitioner is clean and he is in custody since 18.09.2022. He also submits that from going through the contents of both the F.I.Rs., a simple story comes forward that the victim tried to outrage the modesty of sister of petitioner and in retaliation he attacked on the victim, due to which he injured.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is a direct



allegation against the petitioner that he has assaulted the informant's son by knife on his head and back, due to which he injured.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Siwan in connection with Basantpur P.S. Case No. 522 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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