

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4193 of 2024

Arising Out of PS. Case No.-164 Year-2023 Thana- GURARU District- Gaya

Vijay Chauhan Son Of Dileshwar Chauhan Resident Of Village - Bahera,
Police Station - Guraru, District - Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 147, 149, 323, 341,

448, 324, 325, 307, 120(B) of the Indian Penal Code.

Prosecution case in nutshell is that while the

informant was sitting inside his house, petitioner along

with other co-accused, variously armed, came there and

started abusing. Allegation against the petitioner is that

he gave lathi blow on the head and shoulder of the



informant. It is further alleged that co-accused Ravi Kumar assaulted informant's brother by means of lathi due to which he sustained head injuries. Co-accused Sanjay Chauhan assaulted the wife of informant's brother by means of axe due to which she also sustained head injuries. Other co-accused persons allegedly assaulted other family members of the informant due to which they sustained injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to village politics. It is further submitted that during the course of investigation, no any independent witness has supported the prosecution version of the case. There is case and counter case between the parties. Moreover, the petitioner has suo-motto surrendered on 30.08.2023 and since then he is languishing in judicial custody. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Guraru P.S. Case No. 164 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate X, Gaya.

(Sunil Kumar Panwar, J)

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