

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26448 of 2015

Arising out of PS.Case No. -39 Year- 2015 Thana -AADAPUR District- EAST
CHAMPARAN(MOTIHARI)

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1. Bishamsher Raut @ Vishamsher Raut, S/o Late Nathuni Raut.
 2. Sanoj Raut, S/o Bishamsher Raut @ Vishamsher Raut.
 3. Gorakh Raut @ Gorakh, S/o Bishamsher Raut @ Vishamsher Raut.
 4. Bhutta Raut, S/o Bishamsher Raut @ Vishamsher Raut.
 5. Meena Devi, W/o Bishamsher Raut @ Vishamsher Raut. All are residents of Village - Kachor bari, P.S.- Adapur, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ramakant Yadav, Advocate.
For the Opposite Party : Mr. S.M. Rahman (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-09-2015 Heard learned counsel for the petitioners and learned
counsel for the State

The petitioners are apprehending their arrest in connection with Adapur (Harpur) P.S. Case No. 39 of 2015 for the offences instituted under Sections 147, 148, 149, 323, 324, 447, 379, 504 and 506 of the IPC. Later on, Section 307 of the IPC is also added.

The prosecution story, in brief, is that on 09.03.2015 at 10.00 A.M. when the father of the informant was sitting at his Darwaja, all the petitioners-accused and co-accused Manoj Raut forming an un-lawful assembly armed with Lathi and Garasa came at the place of occurrence and on the order of petitioner

Bishamsher Raut, they began to assault his father with Lathi, Garasa, by leg, Ghussa and co-accused Manoj Raut gave Garasa blow on the head of his father due to which the head of his father was cut and when he fell down then petitioner Bhutta Raut took out money and Mobile from his pocket and when his sister Shakuntla Devi came to rescue petitioner Sanoj Raut took out nose pin and on hulla the villagers came and intervened. The father of the informant was taken to P.H.C., Adapur and from where he was referred to Sadar Hospital, Motihari, for better treatment.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is further submitted that no injury has been attributed against the petitioners. It is a case and counter-case between the parties.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Adapur (Harpur) P.S. Case No. 39/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., East Champaran at

Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

