

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41159 of 2016

Arising Out of PS.Case No. -289 Year- 2016 Thana -NAWADA District- NAWADA

1. Shambhu Kewat son of Mishri Kewat
2. Sanny Kewat son of Sitaram Kewat
3. Sachin Kewat son of Sitaram Kewat
4. Dharmendra Kewat son of Brahmdev Kewat
5. Phulan Kewat Son of Brahmdev Kewat
All residents of village - Bhadauni, Tola - Kewat Nagar, P.S. Nawada in the District of Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Deepak Kumar, Advocate.
For the Opposite Party/s : Ms. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-09-2016 Heard both sides.

The petitioners, namely, Shambhu Kewat, Sanny Kewat, Sachin Kewat, Dharmendra Kewat and Phulan Kewat, apprehend their arrest in Nawada Town P.S. Case No. 289/16 registered under Section 307 and other sections of the Indian Penal Code.

The informant named 15 persons including the five petitioners and alleged that they having armed with different weapons surrounded the house of the informant and pelted stones. They entered into the house of the informant. Naresh Kewat assaulted the informant with iron rod on his head. When his son Raj Kumar and Rita Devi came to save the informant, the accused

persons also assaulted them.

Learned counsel for the petitioners submits that no specific allegation of assault is made against the petitioners. The informant got one abrasion which is simple in nature. Raj Kumar did not get any external injury and he complained of body pain only. Rita Devi got one abrasion which is simple in nature. There is case and counter-case.

Considering the facts aforesaid and the fact that there is no specific allegation of assault against the petitioners and the injuries of the injured are superficial and simple in nature, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail 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 Chief Judicial Magistrate, Nawada in Nawada Town P.S. Case No. 289/16, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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