

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55107 of 2016

Arising Out of PS.Case No. -203 Year- 2016 Thana -PATORY District- SAMASTIPUR

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1. Asharfi Raut Son of late Nemi Raut
 2. Pavitra Raut Son of late Nemi Raut
 3. Sanjay Raut Son of Jagdish Raut
 4. Sanjeet Raut Son of Jagdish Raut
 5. Indrajeet Raut Son of Jagdish Raut All are residents of Village- Mahanpur, P.S.- Patory, District- Samastipur,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.
For the Opposite Party/s : Mr. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-02-2017 Heard both sides.

The petitioners seek bail in Patory P.S. Case No. 203/2016, registered for the offences punishable under Section 302 and other sections of the Indian Penal Code.

The informant named seventeen persons including these five petitioners and alleged that all the accused persons surrounded his father. Taken Raut and Maheshwar Raut assaulted his father on head. Other accused persons assaulted his father on the back and all over the body.

Learned counsel for the petitioner submits that similarly situated co-accused persons namely, Pappu Raut, Jagdish Raut, Birchchi Raut, Shambhu Raut, Manoj Raut and Binay Raut have



already been granted bail by another bench of this court vide order dated 15.02.2017 passed in Cr. Misc. 2637/2017. There is no specific allegation against the petitioners and the case of the petitioners stands on the same footing.

Learned A.P.P. however, opposed the prayer for bail of the petitioners and submitted that the petitioners are also alleged to have assaulted the deceased and multiple abrasions over the back and chest were found on account of assault made by hard and blunt object. Besides, the head injury, the deceased got fracture injury on ribs and the chest was found full of blood.

It appears that the petitioners are also alleged to have assaulted with hard and blunt object on back of the deceased, but similarly situated six co-accused persons have already been granted bail.

Considering the facts aforesaid, the petitioners above-named, 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 Chief Judicial Magistrate, Samastipur in connection with Patory P.S. Case No. 203/2016.

(Prabhat Kumar Jha, J.)

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