

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54373 of 2018

Arising Out of PS. Case No.-154 Year-2018 Thana- RAMGARHWA District- East
Champaran

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1. Upendra Raut, Son of Late Sajawal Raut.
 2. Mukesh Raut, Son of Late Sajawal Raut.
 3. Anawat Raut, Son of Late Jir Jodhan Raut.
 4. Dinesh Raut @ Dinesh Patel, Son of Late Sajawal Raut.
 5. Anirudh Raut, Son of Late Sajawal Raut.
 6. Akhilesh Raut, son of Late Sajawal Raut.
 7. Ratnesh Raut @ Ratnesh Patel, Son of Late Sajawal Raut.
- All residents of Village- Mishrauliya, Police Station-
Ramgarhwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate.
For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Ramgarhwa Police Station Case No.154 of 2018/G.R.
No.898 of 2018, registered under Sections 147, 341, 323, 354-
B, 504, 506, 509 and 379 of the Indian Penal Code.

The accusation is that eight persons, named in the
F.I.R., including the petitioners variously armed with weapons
came at the door of the informant and on the order of Upendra
(petitioner no.1), all started to cause assault to the informant.



When the informant fell down on the ground, with an intention to kill him, all pressed his neck through Daab, lathi and danda, due to which the informant became unconscious. Thereafter, they entered into the house of the informant and Upendra Raut (petitioner no.1) caused injury at the right hand of the daughter of the informant through Dabila and others assaulted her through fists, slaps and lathi. When the son of the informant rushed to pacify the matter, they also caused assault to him. After that, they also took away the ornaments, clothes, mobiles etc. worth Rs.50000/- from the house of the informant and also gave threatening of dire consequences.

Learned counsel for the petitioners submits that due to quarrel in between the children of the informant and the petitioners' side, the occurrence of "Maar-Peet" took place in which the petitioners' side also sustained injury regarding which Ramgarhwa P.S. Case No.156 of 2018 under Sections 147, 447, 341, 323, 354-B, 504 and 506 of the Indian Penal Code was instituted on 16.07.2018 on the basis of the written report of Roop Kali Devi, the wife of the petitioner no.1, against the informant and others. Moreover, in course of occurrence of "Maar-Peet" no one sustained injury either from informant's side or petitioners' side. The petitioners have no criminal



antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari, in connection with Ramgarhwa Police Station Case No.154 of 2018/G.R. No.898 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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