

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8639 of 2018

Arising Out of PS.Case No. -132 Year- 2017 Thana -ROUH District- NAWADA

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1. Chamcham Raut @ Chamach Raut, Son of Ishwari Raut,
2. Amit Kumar, Son of Chamcham Raut,
3. Kundan Kumar, Son of Chamcham Raut, All resident of Village- Anaila
P.S. Roah, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. B.N.Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-02-2018 The learned counsel for the petitioners submits that during the pendency of this anticipatory bail petition, petitioner No.1, Chamcham Raut @ Chamach Raut has been arrested.

Accordingly the prayer for anticipatory bail of petitioner No.1 is dismissed as has become infructuous.

Heard both sides.

The petitioners apprehend their arrest in Roah P.S. Case No.132 of 2017 registered under Sections 307, 379 and other minor Sections of the Indian Penal Code.

The informant, Mahendra Mandal alleged that Chamcham Raut and his two sons namely Amit Kumar and Kundan Kumar, the petitioners assaulted him with khanti and iron rod. Petitioner No.1, whose anticipatory bail is dismissed as



withdrawn, is alleged to have assaulted the informant with khanti.

Learned counsel for the petitioners submitted that occurrence took place on 15.12.2017 but the F.I.R. was lodged on 20.12.2017. On the same occurrence, Roah P.S. Case No.130 of 2017 is lodged by Sunita Devi, wife of Chamcham Raut. Sunita Devi alleged that Mahendra Mandal assaulted her and her sons, Amit Kumar and Kundan Kumar. Mahendra Mandal got simple injury caused by hard and blunt object.

Considering the fact that there is a case and counter case and it appears that both sides entered into mutual scuffle in which the informant received simple injury caused by hard and blunt object, the petitioner Nos.2 and 3, above named, 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 learned A.C.J.M., Nawada in connection with Roah P.S. Case No.132 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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