

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25641 of 2019

Arising Out of PS. Case No.-405 Year-2018 Thana- DEEPNAGAR District- Nalanda

1. Mithun Kewat, Son of Ramakant Kewat Resident of Village- Naya Tola Chakdelawar, P.S.- Deepnagar, District- Nalanda.
2. Dashrath Kewat Son of Dahu Kewat Resident of Village-Naya Tola Chakdelawar, P.S.-Deepnagar, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered under Sections 323, 341, 307, 379, 504 and 506/34 of the Indian Penal Code.

On intervention of the assault made by the petitioners and other accused persons on the driver of the Bolero by the informant, petitioner Mithun Kewat assaulted on his head by means of butt of the pistol. When his son Munna Kewat rushed in his rescue, petitioner Dasrath Kewat assaulted on his head by means of iron rod inflicting bleeding head injury to him.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in the case. As a matter of fact, Bolero had dashed bicycle of the accused Sunny Kewat (son of petitioner no.2) followed by some altercation between the driver and Sunny Kewat and as the driver was close to the informant, informant and his family members intervened the occurrence and took the side of the driver. In the course of aforesaid altercation, some fight took place between the parties in which son of the informant sustained simple injury. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, 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, 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 C.J.M., Nalanda at Bihar Sharif in connection with Deep Nagar P.S. Case No. 405 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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