

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52022 of 2019**

Arising Out of PS. Case No.-103 Year-2019 Thana- PIRO District- Bhojpur

1. Bittu Kharwar, Son of Darvan Kharwar Resident of Village - Mushar Toli, Piro, P.S.- Piro, Dist.- Bhojpur.
2. Om Prakash Kharwar Son of Bishnudhari Kharwar Resident of Village - Mushar Toli, Piro, P.S.- Piro, Dist.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sarveshwar Tiwary

For the Opposite Party/s : Mr.Umanath Mishra

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

ORAL ORDER

2      21-08-2019                      Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend his arrest in connection with Piro P.S. Case no. 103 of 2019, registered under Sections 147, 148, 149, 341, 323, 307, 379, 385, 504 and 506 of the Indian Penal Code.

The accusation is that in course of returning of Saroj Sao, son of the informant, from market to his house, in the way, he was surrounded by six accused persons named in the F.I.R., including the petitioners, having armed with lathi, danda etc. in their hands and all started to cause assault in which he sustained injury and fell down. When Santosh Sao, younger son of the informant, rushed to save then he was also assaulted. At that time, Rs. 3200/- was snatched from the pocket of Saroj Sao.



Learned counsel for the petitioners submits that while petitioners and four others are named in the F.I.R. with allegation to cause injury to the informant and his two sons, but only one injury was found on the head of Saroj Sao regarding which the opinion has been kept reserved. Further submission is that, in fact, occurrence of Marpit took place, due to putting of shop inside the road in which petitioners' side also sustained injury regarding which Piro P.S. Case No. 118 of 2019 was also instituted as accused Piyam Kharwar sustained injury. The 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) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur in connection with Piro P.S. Case No. 103 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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