

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23148 of 2021

Arising Out of PS. Case No.-377 Year-2019 Thana- BARACHATTI District- Gaya

1. SIMA DEVI W/O RAJU RAVIDAS R/O VILLAGE-SARSOBABAD, P.S-MOHANPUR, DISTRICT-GAYA.
2. URMILA DEVI W/O KAPIL RAVIDAS R/O VILLAGE-SARSOBABAD, P.S-MOHANPUR, DISTRICT-GAYA.
3. KAPIL RAVIDAS S/O LATE TETAR RAVIDAS R/O VILLAGE AND P.S.- BODHGAYA DISTRICT-GAYA
4. RAJU RAVIDAS S/O LATE TETAR RAVIDAS R/O VILLAGE AND P.S.- BODHGAYA DISTRICT-GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhaneshwar Vashist, Adv.
For the Informant	:	Mr.Md.Murad Ashraf, Adv.
		Mr.Tarique Shamim, Adv.
		Mr.Abu Nasar, Adv.
For the State	:	Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-10-2021 Heard the parties.

The petitioners seek bail in connection with Barachatti P.S. Case No.377 of 2019, registered for the offence punishable under Sections 341, 323, 448, 307, 379, 427, 504, 506, 34 and 302 of the Indian Penal Code.

The prosecution case in short is that there was a scuffle between one Saryu Ravidas and Dilip Ravidas, where upon elder brothers of Saryu hit Dilip Ravidas. Thereafter, Dilip Ravidas hit brother of Saryu namely Rakesh Ravidas with a



piece of wood on his head due to which he fell on the ground. Petitioner no.1, 2 and some other villagers gathered from Saryu's side and some villagers gathered from informant's side and they started throwing pebbles on one another. Rakesh Ravidas died in the scuffle. Thereafter, it is alleged that petitioners and others entered into informant's and her gotia's house and threw the objects. They also stole gold, silver, jewellery and cash.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. They have been falsely implicated in this case with oblique purpose and ulterior motives. It is stated that the allegations levelled against the petitioners are false and concocted. There is no specific overt act against the petitioners rather the allegations are general and omnibus in nature. There was a free fight in between the parties and the informant has nowhere elaborated the manner in which the petitioners hit the informant's side. The petitioners have no criminal antecedent and have been languishing in custody since 25.10.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case,



since there is general and omnibus allegation against the petitioners, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati (Gaya), in connection with Barachatti P.S. Case No.377 of 2019.

(Anjani Kumar Sharan, J)

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