

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33922 of 2020

Arising Out of PS Case No.-194 Year-2020 Thana- SHEOHAR District- Sheohar

Ashok Raut, Male, aged about 38 years, Son of Mahesh Raut, Resident of Village-Sugiya Katsari, PS Sheohar, District-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
For the State	:	Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 05-04-2021

Heard Mr. Pushpendra Kumar Singh, learned counsel for the petitioner and Ms. Gulnar Begum, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Sheohar PS Case No. 194 of 2020 dated 10.07.2020, instituted under Sections 307, 323, 324, 341, 354, 447 and 503/34 of the Indian Penal Code.

3. The allegation against the petitioner and others is of general and omnibus assault by fists, slaps and foot on the informant whereas specifically against co-accused Ramnath Raut of hitting on head by iron *khanti*.



4. Learned counsel for the petitioner submitted that there are eight named accused including the petitioner and against the petitioner it is only general and omnibus, of assault by fists, slaps and foot. Learned counsel submitted that the injury report, as has been quoted by the Court below while granting bail to other co-accused is that the same was simple in nature having been caused by hard and blunt substance. It was further submitted that the petitioner does not have any criminal antecedent.

5. Learned APP submitted that the petitioner also assaulted the informant. However, it was not disputed that the allegations are general and omnibus, along with seven other persons, of assault by fists, slaps and foot.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar in Sheohar PS Case No. 194 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further, (i) that one of the bailors shall be a close relative of the petitioner, (ii)



that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. It shall also be open for the prosecution to bring any violation of the foregoing conditions of bail by the petitioner, to the notice of the Court concerned, which shall take immediate action on the same after giving opportunity of hearing to the petitioner.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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