

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34775 of 2020

Arising Out of PS. Case No.-43 Year-2020 Thana- JAMOBAZAR District- Siwan

RAJENDRA RAWAT, aged about 56 years, Gender-Male, Son of Khushi Rawat, Resident of Village-Sultanpur Khurd, Police Station-Jamo Bazar, District-Siwan.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar, Advocate.

For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 324, 307 and 302/34 of the I.P.C.

The prosecution story, in brief, is that on 29.03.2020, due to minor land dispute, the *Pattidars* of the informant, namely, co-accused Nand Kishore Rawat, Rajendra Rawat (petitioner), Ram Ayodhya Rawat @ Mister Rawat, Akash Kumar, Shivjee Rawat, Timal Rawat, Chinta Devi, Ram Sakhi



Devi, Vikki Kumar, Panpati Devi and the wife of Mister came variously armed with *Lathi*, *Danda*, *Farsa*, *rod* and started abusing the informant and asked to leave the land. On refusal to leave the land, co-accused Nand Kishore Rawat assaulted on the head of Dhanpati Devi with *Tangi* causing head injury and Mister @ Ram Ayodhya Rawat assaulted with *rod* on the leg causing leg injury. Other accused persons started assaulting with *rod*, *Lathi* and *Danda*. Dhanpati Devi, Rajal Devi and Haresh Rawat were also assaulted by co-accused Kashi Nath Rawat with *Iron rod* on their heads. Haresh Rawat was also assaulted by the wife of Kashi Nath on his head with *Garasi* causing head injury, Jogindra Rawat was also assaulted by the wife of Mister Rawat (Ayodhya Rawat), Kashi Rawat and Awadhesh Rawat with *Lathi-Danda*. It is further stated that the incident took place on the order of Rajendra Rawat (petitioner) and after sustaining injury by Dhanpati Devi, Rajendra Rawat (petitioner) himself assaulted with *Lathi* to Dhanpati Devi. It is further stated that in the above said incident, Dhanpati Devi, the wife of the informant, died.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 22.08.2020. The petitioner has got no criminal antecedent. Charge sheet has been



submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. Specific allegation of assault is against co-accused Nand Kishore Rawat who is said to have assaulted the deceased with *Tangi* on the head causing her death.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIII, Siwan, in connection with Jamo Bazar P.S. Case No. 43 of 2020.

(Sudhir Singh, J)

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