

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37244 of 2020

Arising Out of PS. Case No.-187 Year-2020 Thana- ISLAMPUR District- Nalanda

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1. GUDDU KEWAT SON OF PARKASH KEWAT RESIDENT OF VILLAGE- BALMAT BIGHA, POLICE STATION- ISLAMPUR, DISTRICT- NALANDA
 2. PARKASH KEWAT SON OF LATE PRABHU KEWAT RESIDENT OF VILLAGE- BALMAT BIGHA, POLICE STATION- ISLAMPUR, DISTRICT- NALANDA.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajeet Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-06-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 19.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Islampur P.S. Case no. 187 of 2020, registered under Sections 341, 323, 504, 506, 307 and 379/34 of the Indian Penal Code.

The accusation is that in the evening of 05.04.2020, ten persons named in the F.I.R., including the both



petitioners and 8 to 10 unknown armed with various weapons came at the door of informant Sukhi Kewat. At that time, Pradeshi Kewat and Guddu Kewat (Petitioner No.1) started to abuse giving threatening to kill. When informant made protest then both caused assault to him, at that time, others also caused injury through Lathi, Garasa and Farsa in which he sustained blood oozing injury at his head. When his daughter and son rushed to save then they were also assaulted. At that time, they also snatched gold chain from the neck of his daughter.

Learned counsel for the petitioners submits that occurrence of Marpit took place due to petty dispute in which petitioners' side also sustained injury regarding which Islampur P.S. Case No. 188 of 2020 was instituted on 06.04.2020, under Sections 341, 323, 504, 307, 506 and 379/34 of the Indian Penal Code on the basis of fardbeyan of Gita Devi, wife of co-accused Pardeshi Kewat against the informant of the present case and eight others. Moreover, the injuries as found on the person of Basanti Kumari and Annu Kr. Sahani, daughter and son of informant, are simple in nature, whereas out of five injuries, as found on the person of informant Sukhi Kewat, injury No.1 is grievous in nature i.e. swelling tenderness over left forearm, which is said to be fracture, and remaining



injuries are simple in nature.

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 learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Islampur P.S. Case No. 187 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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