

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10103 of 2021**

Arising Out of PS. Case No.-112 Year-2020 Thana- SIDHWALIYA District- Gopalganj

1. Mukesh Ravat @ Mukesh Kumar Son Of Gorakhnath Rawat Resident Of Village-Sadauwa Ps-Sidhwalia District-Gopalganj
2. Prem Ravat Son Of Gena Raut Resident Of Village-Sadauwa Ps-Sidhwalia District-Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Naresh Chandra Verma
For the Opposite Party/s	:	Mr.A.G.
For the Informant	:	Mr. Akhileshwar Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-09-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 341, 328, 324, 307, 302, 504/34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons assaulted the father of the informant due to which he died.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The main allegation of assault is alleged against co-accused Rakesh Rawat who is said to have assaulted the deceased with lathi. So far as petitioners are concerned, general and omnibus allegation has been made against them. No specific overt act is alleged against the petitioners. The alleged occurrence is said to have taken place on 2.3.2020 while the death of the deceased had taken place on 15.5.2020 and thereafter the case was instituted on 12.6.2020. The inordinate delay in instituting the case has not been explained by the prosecution. It has further been submitted that the death is not due to primary haemorrhage rather the death is due to secondary haemorrhage. The death had taken place after more than three months of the alleged occurrence.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to



the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Sidhwalia P.S. Case No. 112 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

