

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13946 of 2021**

Arising Out of PS. Case No.-73 Year-2020 Thana- GUTHANI District- Siwan

1. SUDAMA RAUT Son of Late Kumbhnath Raut Resident of Village- Balua, P.S.- Guthani, District- Siwan.
2. Ganga Sagar Raut @ Gangu Raut S/o Banke Raut Resident of Village- Balua, P.S.- Guthani, District- Siwan.
3. Raj Raut @ Raja Raut Son of Awadh Raut Resident of Village- Balua, P.S.- Guthani, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ramadhar Shekhar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      24-02-2022                      Heard learned counsel for the petitioners      and  
learned APP for the State.

Learned counsel for the petitioners is directed to  
remove the defect(s), as pointed out by the office, within a  
period of four weeks.

At the outset, learned counsel for the petitioners seeks  
permission to withdraw this application with regard to petitioner  
Nos. 1 & 2 as during pendency of this application, they have  
been taken into judicial custody.

Permission is granted.

Accordingly, this application filed with regard to



petitioner Nos. 1 & 2 is dismissed as withdrawn.

The petitioner No. 3 is apprehending his arrest in Guthani P.S. Case No. 73 of 2020 registered under Sections 147, 148, 149, 323, 324, 325, 307, 354, 379, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, while the informant was feeding his cattle, the accused persons came there and started abusing. On protest, one Santosh Raut assaulted the informant's brother as a result of which, his hand broke down. Rajesh and Ramesh are said to have assaulted the informant's brothers, as a result of which, his brothers sustained injuries.

It has been submitted on behalf of the petitioner No. 3 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No. 3. The petitioner No. 3 has been falsely implicated in the present case. General and omnibus allegation has been made against the petitioner No. 3. The specific allegation is against co-accused Santosh, Rajesh, Ramesh, Rakesh and Shubhavati Devi.

On behalf of the State, it is submitted that the petitioner No. 3 is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner No. 3, above named, in the event of arrest or



surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Guthani P.S. Case No. 73 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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