

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44551 of 2021

Arising Out of PS. Case No.-42 Year-2021 Thana- KATRA District- Muzaffarpur

Suren Raut @ Suresh Raut Son Of Bilash Raut Resident Of Village - Yajuaar,
Tola Lakshmipur, P.S. - Katra, Distt. - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Uday Prakash Shrarma, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 23-03-2022 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Choubey Jawahar, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Katra P.S. Case No. 42 of 2021 registered for the offences punishable under Sections 147, 148, 149, 341, 447, 324, 307, 427, 354, 380, 504, 506/34 of the Indian Penal Code. He has no criminal antecedent and has remained in custody since 22.03.2021.

Learned counsel for the petitioner submits that as per the prosecution story, based on fardbeyan of one Hare Ram Raut, on 21.02.2021 FIR named accused persons (including this petitioner) started abusing the informant and when the informant



asked them to stop abusing, Nadeshwar Raut caught him by waist and assaulted on his head by farsa. It is further alleged that Suren Raut (this petitioner) and Rohit Kumar armed with axe gave a blow on the head of Ram Ekbal Raut. It is also alleged that accused persons attempted to loot in the house of the informant.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that both the parties had indulged in causing assault to each other. The petitioner is in custody since 22.03.2021 and has no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner and the informant are close agnates, both the parties had indulged in causing assault upon each other, it is alleged that in the free fight between the parties, the informant of this case had assaulted one Kanti Devi with iron rod who is sister-in-law of the petitioner and in this regard her medical report has been placed before this Court, the petitioner has already remained in custody for over one year and investigation against him is complete, he has otherwise no criminal antecedent, therefore,



this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Ms. Arti Kumari, learned J.M. 1st Class, Muzaffarpur in connection with Katra P.S. Case No. 42 of 2021, subject to the condition as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

