

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67764 of 2021

Arising Out of PS. Case No.-262 Year-2021 Thana- NAANPUR District- Sitamarhi

1. Saroj Raut Son of Bindeshwar Raut Residence of village - Kurhar, P.S.- Nanpur, District - Sitamarhi
2. Sanoj Raut Son of Bindeshwar Raut Residence of village - Kurhar, P.S.- Nanpur, District - Sitamarhi
3. Bindeshwar Raut Son of Late Chaliter Raut Residence of village - Kurhar, P.S.- Nanpur, District - Sitamarhi

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-07-2022 Petition for pre-arrest bail of petitioner no. is has
already been dismissed as withdrawn vide order dated 15.6.2022.

Heard learned counsel for the petitioners no. 2 and 3
and the State.

Petitioners apprehend their arrest in a case registered
for the offence punishable under Sections 379/506/34 and other
allied sections of the Indian Penal Code.

Prosecution's case in short is that due to dispute over
right of pathway an altercation took place in which all these
petitioners entered into the house of the informant and assaulted
them as a result of which three persons sustained injuries.

Learned counsel for petitioners no. 2 and 3 submits
that there is general and omnibus allegation of assault against all



the accused persons and no specific overt act has been alleged against the petitioners. There is case and counter case in which both sides sustained injuries. Injuries of the informant have been found to be grievous in nature, whereas injuries sustained by others have been found to be simple in nature.

Considering the background of the incident, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Nanpur Police Station Case No. 262 of 2021, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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