

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46186 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- BANSHI District- Jehanabad

1. SANOJ RAUT S/o Radhe Shyam Raut R/o village- Ekraunja (Akronja), P.S.- Banshi, District- Arwal (Bihar)
2. Ranjan Raut S/o Sitaram Raut R/o village- Ekraunja (Akronja), P.S.- Banshi, District- Arwal (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-01-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Banshi P.S. Case No. 25 of 2022 for the offence registered under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

The allegation is regarding the petitioner no. 1 having arrived at the house of the informant in the night of 19.03.2022 at about 10:00 A.M. when the mother-in-law of the informant was sitting at the door of the house, however, when the mother-in-law of the informant had asked the petitioner no. 1 to go away, he started assaulting



the mother-in-law of the informant resulting in her sustaining grievous injuries and subsequently she had succumbed to her injuries. As far as the petitioner no. 2 and other co-accused persons are concerned, they are alleged to have assaulted the informant and her brother-in-law.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, are having a clean antecedent and they are languishing in custody since 30.05.2022. The learned counsel for the petitioners has further submitted that as far as the petitioner no. 2 is concerned, a general and omnibus allegation has been levelled against him of having assaulted the informant and his brother-in-law, however, there is no injury report on record to suggest that they had received any grievous injuries.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the



submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that as far as the petitioner no. 2 is concerned, a general and omnibus allegation has been levelled regarding him having assaulted the informant and her brother-in-law, I deem it fit and proper to admit the petitioner no. 2 to the privilege of bail.

However, as far as the petitioner no. 1 is concerned, he is alleged to have assaulted the mother-in-law of the informant leading to her sustaining grievous injuries, whereafter she had succumbed to her injuries, hence I am not inclined to grant bail to the petitioner no. 1, thus the present petition qua the petitioner no. 1 stands dismissed.

Accordingly, the petitioner no. 2, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Arwal in connection with Banshi P.S.



Case No. 25 of 2022.

(Mohit Kumar Shah, J)

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