

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48100 of 2022

Arising Out of PS. Case No.-630 Year-2021 Thana- BANKA District- Banka

1. Gulchanran Rout, S/o Late Pradeshi Rout
 2. Santosh Rout @ Santosh Kumar S/o Fulcharan Rout
 3. Shivam Rout @ Shivam Kumar S/o Pulcharan Rout
 4. Ravi Kumar Rout @ Ravi Rout S/o Gulcharan Rout.
- All are Resident of Village- Pathra, P.S.- Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-01-2023 At the outset, learned counsel for the petitioners submits that so far as petitioner no.1 is concerned, since he has been arrested, the petition with regard to him be permitted to be withdrawn.

Permission accorded.

The petition with regard to petitioner no.1 is dismissed as withdrawn.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners no.2 to 4 apprehend their arrest in connection with Banka P.S. Case No.630 of 2021 instituted under Sections 143,149,341,323,504,506,308 of the IPC.

As per the prosecution story, the petitioners came and



started abusing the informant and upon protest gave injury on head. When the husband came to his rescue, he was also assaulted. Accordingly, the FIR was lodged.

Learned counsel for the petitioners submit that both informant and accused are family members and in the heat of the moment, certain development took place which they also regret and further despite the fact that the injuries have been found to be simple in nature (para-12 of the petition), on its own, the petitioners are ready to pay Rs.10,000/- towards the treatment cost of the informant.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the fact that the petitioners no.2 to 4 do not have criminal antecedent, the injuries have been found to be simple nature, this Court is inclined to grant them relief subject to payment of Rs.10,000/- to be paid through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court to be handed over to the informant after checking the credentials.

Let the petitioner nos.2, 3 and 4 namely, Santosh Rout @ Santosh Kumar, Shivam Rout @ Shivam Kumar, Ravi Kumar Rout @ Ravi Rout be released on bail, in the event of



their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Banka P.S. Case No.630 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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