

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72355 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- ISLAMPUR District- Nalanda

1. AMARJEET KUMAR SON OF PATEL KEWAT RESIDENT OF VILLAGE- SUNDAR BIGHA, POLICE STATION- ISLAMPUR, DISTRICT- NALANDA.
2. PATEL KEWAT SON OF LATE RAM CHANDRA KEWAT RESIDENT OF VILLAGE- SUNDAR BIGHA, POLICE STATION- ISLAMPUR, DISTRICT- NALANDA.
3. SUMAN DEVI WIFE OF RAKESH KEWAT RESIDENT OF VILLAGE- SUNDAR BIGHA, POLICE STATION- ISLAMPUR, DISTRICT- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Islampur P.S. Case No. 03 of 2023 dated 03.01.2023 registered for the offences punishable u/ss 447, 341, 323, 324, 325, 307, 379, 504 read with section 34 of the Indian Penal Code.



4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have entered the house of the informant and started abusing and assaulting her. The co-accused, Rakesh Kewat and Somri Devi, assaulted Rakesh Kewat with a spade with intention to kill, due to that he got severely injured. Thereafter, the petitioner no. 1, Amarjeet Kumar assaulted the informant with an iron rod on her thigh and the petitioner no. 2 and 3, (Patel Kewat and Suman Devi) assaulted her with lathi due to that she got severely injured and became unconscious thereafter they snatched her *Mangalsutra* and ear ring.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Learned counsel has submitted that as per FIR, the petitioner no. 1 has assaulted the informant on her thigh but as per injury report, there is no injury on thigh. Learned counsel has further submitted that as per injury report, the injury no. 1 is lacerated wound over right side temporal region of head and the injury no. 2 is pain and swelling over right hand. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.



7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Hilsa, Nalanda in connection with Islampur P.S. Case No. 03 of 2023 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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