

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20170 of 2024

Arising Out of PS. Case No.-508 Year-2023 Thana- RAHUI District- Nalanda

1. Sonu Raut @ Sonu Kumar Son of Bhushan Raut Resident of Village- Majidpur, Police Station- Rahui, District- Nalanda
2. Laxman Raut Son of Kaleshwar Raut Resident of Village- Majidpur, Police Station- Rahui, District- Nalanda
3. Amlesh Yadav Son of Bakhori Yadav Resident of Village- Majidpur, Police Station- Rahui, 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. Ashok Kumar Singh, APP
For the Informant :	Mr. Nitin Shashi Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-04-2024 Heard Mr. Anil Kumar Singh, learned counsel for the petitioners and Mr. Nitin Shashi Sharma, learned counsel for the informant as also learned APP.

2. The petitioners are apprehending their arrest in connection with Rahui P.S. Case No. 508 of 2023 for the offence under sections 341, 323, 307, 379, 504/34 of the I.P.C. lodged on 21.11.2023 by the informant, Kanchan Devi.

3. As per the prosecution story, the lady was returning after completing 'Surya Namaskar' when this petitioner no. 1, Sonu Raut abused. Upon protest, the petitioner no. 2, Laxman Raut slapped her, she fell down then petitioner no. 1 relieved her



of silver ornaments. When her husband came to rescue, Kundan Raut gave 'khanti' blow on his head while Amlesh Yadav, petitioner no. 3 gave 'lathi' blow on the hand of her father-in-law causing injury. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that the specific allegation is against Kundan Raut of giving 'khanti' blow on the head of the informant's husband. So far as these petitioners are concerned, allegation is that while Sonu Raut abused and took away silver chain, the petitioner no. 2, Laxman Raut gave a slap whereas Amlesh Yadav (petitioner no. 3) gave 'lathi' blow on the hand of the father-in-law of the informant causing injury. He further submits that the injury of father-in-law on the hand is simple in nature and none of them have criminal antecedent.

5. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner no. 3, Amlesh Yadav on its own would like to contribute towards the medical assistance of Rs. 20,000/- 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 for treatment of the family members.

6. Learned counsel for the informant opposes the prayer stating that while she was coming from 'Surya Namaskar', they not only abused but also assaulted and in the process, Kundan Raut gave 'khanti' blow causing serious injury to her husband.

7. Regarding Amlesh Yadav (petitioner no. 3), allegation against him is of giving injury on the hand which has been found to be simple in nature. So far as allegation against petitioner nos. 1 and 2 are concerned, they abused, slapped, took silver ornament, this Court is inclined to extend them the privilege of anticipatory bail with conditions. However, petitioner no. 3 is concerned, the same is allowed subject to payment of Rs. 20,000/- as undertaken by the learned counsel for the petitioners.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Nalanda at Bihar Sharif, in connection with Rahui P.S. Case No. 508 of 2023 subject to the conditions as laid down under



Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

kiran/-

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

