

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54432 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- CHOUTARWA District- West Champaran

1. Guddu Raut @ Guddu Kumar S/O Kishun Raut R/O Village- Manpur Tesrahiya, P.S- Chautarwa (BATHUWARIYA O.P.), Distt.- West Champaran
2. Lalbabu Raut @ Lababu Dom S/O Kishun Raut R/O Village- Manpur Tesrahiya, P.S- Chautarwa (BATHUWARIYA O.P.), Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma, Adv

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 03-10-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Chautarwa (Bathwariya O.P.) P.S. Case No. 26 of 2024 dated 05.02.2024 registered for the offences punishable u/s 341, 323, 354, 147, 149, 379, 302, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and 16 other co-accused persons armed with lathi and iron rod came to Bagh Bin Toli and assaulted the husband of the informant on his head due to which he sustained head injury and died during the course of treatment. It is further alleged that all the accused



persons also assaulted the informant and took away the gold chain from the neck of the informant's husband.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is no specific allegation against the petitioners rather there is general and omnibus allegation against the petitioners. It is further submitted that there is no eye-witness of the occurrence alleging to the fact that the petitioners participated in the occurrence to kill the deceased. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have one antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 16.05.2024.

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

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioners as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran in connection with



Chautarwa (Bathwariya O.P.) P.S. Case No. 26 of 2024, with a
condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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