

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63466 of 2024

Arising Out of PS. Case No.-503 Year-2023 Thana- KHAGARIA District- Khagaria

1. Santosh Kevat Son of Chhotelal Kevat R/O Vill.- Ramnagar Math, P.S.- Gangaur, Dist.- Khagaria.
2. Avdhesh Kevat Son of Chhotelal Kevat R/O Vill.- Ramnagar Math, P.S.- Gangaur, Dist.- Khagaria.
3. Shyam Kevat Son of Chhotelal Kevat R/O Vill.- Ramnagar Math, P.S.- Gangaur, Dist.- Khagaria.
4. Chhotelal Kevat Son of Dorik Kevat R/O Vill.- Ramnagar Math, P.S.- Gangaur, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the State : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-10-2024 Heard Mr. Santosh Kumar Singh, learned counsel
for the Petitioners and Mr. Chandra Bhushan Prasad, learned
APP for the State.

2. At the outset, it is submitted by petitioners' counsel
that the petitioner no.1 and petitioner no.3 have been arrested,
so, their prayer has become infructuos, hence, he seeks
permission to withdraw their prayer from this petition.

3. Permission is granted, accordingly, the prayer for
bail of petitioner no.1 and petitioner no.3 stands dismissed as
withdrawn.



4. The petitioners apprehend their arrest in connection with Khagaria (Gangour) P.S. Case No. 503 of 2023 dated 19.05.2023 registered for the offences punishable under Sections 341, 323, 308, 325, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

5. Learned counsel appearing for the petitioner no. 2 and petitioner no.4 submits that the instant matter relates to a free fight having taken place in between both the parties on account of some dispute having arisen due to D.J. music on the occasion of a marriage function which resulted in injuries to both the sides and from petitioners' side, five persons including petitioner no. 2 and petitioner no. 4, sustained injuries and the co-accused, Shyam Kevat (petitioner no.3), sustained fracture injury to his right hand and in this regard, the relevant medical prescriptions and other documents concerned to the injured persons of the petitioners' side, has been filed as Annexure-4 series. It is further submitted that in the alleged occurrence, two persons sustained injuries from informant's side in whom, one sustained simple injury, though the second injured namely, Rohit sustained three injuries, out of them, one injury was opined to be grievous in nature but the same was found on the non-vital part of his body.



6. Learned APP for the State has opposed the prayer for bail of the petitioners.

7. Having considered the facts and circumstances of this case as well as above submissions and mainly taking into account the fact that a free fight having taken place in between both the parties and also coupled with the injuries to the petitioners’ side as discussed above, this Court is inclined to accept the anticipatory bail prayer of petitioner no.2 and petitioner no. 4. Accordingly, let the **petitioner no. 2 and petitioner no. 4** named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 the Court concerned in connection with Khagaria (Gangour) P.S. Case No. 503 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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