

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84889 of 2024

Arising Out of PS. Case No.-354 Year-2024 Thana- GRIYAK District- Nalanda

1. Monu Raut son of Mahendra Raut R/O vill. - katardih Ps- Katrisarai Dist- Nalanda
2. Sonu Raut son of Mahendra Raut R/O vill. - katardih Ps- Katrisarai Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Giriyak (Katrisarai) P.S. Case No. 354 of 2024, registered for the alleged offences under Sections 126(2), 109(1), 115(2), 117(2), 303(2), 351 and 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the petitioners made fun of the son of the informant and when he opposed, they became violent and pushed the son of the informant in water and snatched his mobile phone. When the informant and his family members came for his rescue, the petitioners and co-accused



assaulted them with *lathi* and rod, causing fracture of the head of the informant and also caused injuries to the son of the informant on his face and leg.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to personal vendetta of the informant. There is no specific allegation against the petitioners. There is counter version as brother of the co-accused Ajit Raut has lodged Giriyak P.S. Case No. 356 of 2024 against the informant and others. During investigation, nothing has come up against the petitioners. The petitioners are having clean antecedent and they are in custody since 19.09.2024.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that there is specific allegation against the petitioners that they assaulted and caused injuries to the informant and his son and the injury of the son of the informant is on his head.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the non-serious nature of allegation and further considering period of custody of the petitioners and their clean antecedents, the petitioners above named are directed to be released on bail on



furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Giriyak P.S. Case No. 354 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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