

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27141 of 2021

Arising Out of PS. Case No.-401 Year-2020 Thana- JAMUI District- Jamui

1. Vijay Rawat aged about 30 years Son Of Sukar Rawat Resident Of Village - Bukar, P.S. And District - Jamui.
2. Sunil Rawat aged about 40 years Son Of Shivnandan Rawat Resident Of Village - Bukar, P.S. And District - Jamui.
3. Bishwanath Rawat aged about 45 years Son of Om Prakash Rawat Resident of Village - Bukar, P.S. and District - Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek bail in a case registered for the offence punishable under section and other ancillary section 302 of the Indian Penal Code.

As per the prosecution case, altogether 25 named accused persons and 20-25 unknown persons intercepted the Motorcycle of brother of the informant who was going along with Md. Akbar Khan and all the accused persons assaulted the brother of the informant namely, Ibran Khan and Akbar Khan by means of lathi, danda, fists and slaps. It has further been alleged that thereafter, four accused persons namely, Sunil Rawat



(petitioner no.2), Bijay Rawat (petitioner no.1), Mahesh Rawat and Prakash Yadav assaulted the brother of the informant by means of Katar and rest accused persons assaulted by lathi, dnda and slaps, due to which, he died and his beheaded dead body was found lying in the field (Bahiyar).

Learned counsel for the petitioners submits that altogether 25 named accused persons and 20-25 unknown persons have committed the crime. Moreover, there is general and omnibus allegation of assault against the petitioners no.1 and 2. There is no eye witness to the occurrence. Charge sheet has already been submitted. Several similarly situated co-accused have already been allowed bail by different benches of this Court vide orders passed in 4789/2021, 11125/2021 and 3/2021. Petitioners have got clean antecedent and they are in custody since 3.9.2020. Charge sheet has already been submitted.

In the facts of the case, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, be enlarged 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 the Chief Judicial Magistrate, Jamui in Jamui Police Station Case No. 401 of 2020 on the following



conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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