

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56950 of 2015

Arising Out of PS.Case No. -26 Year- 2015 Thana -KANGALI District-
WESTCHAMPARAN(BETTIAH)

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1. Bachcha Sharma @ Bacac Sharma
2. Subhash Sharma, both are sons of Late Hiralal Sharma.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 17-12-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners are named but according to prosecution case itself, the alleged occurrence took place on account of land dispute and drainage and it is alleged that petitioner no. 1 gave garasa blows to injured, Dhurendra Sharma but Annexure-3 to the petition shows that aforesaid injured sustained simple injury said to be caused by hard and blunt substance. So far as petitioner no. 2 is concerned, it is alleged that he along with other accused assaulted the injured, Ramashish Sharma and Rambali Sharma and Annexure-4 series reveal that both the above stated injured, too, sustained simple injuries said to be caused by hard blunt substance. So far as deceased of the present case is concerned, it is

specific case of the prosecution that deceased was assaulted by F.I.R. named accused, Umesh Sharma, Shyam Sundar Sharma, Anoj Sharma and Sanoj Sharma though omnibus allegation of assault has been levelled against the petitioners. Annexure-5 to the petition reveals that death of the deceased was due to strangulation and moreover, no incised or lacerated wound was found on the person of the deceased.

Learned counsel for the petitioners points out that having similar allegation, one co-accused, Dinesh Sharma has already been granted privilege of bail by a co-ordinate Bench of this Court.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Kangali P.S. Case No. 26 of 2015.

(Hemant Kumar Srivastava, J)

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