

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35795 of 2015

Arising Out of PS.Case No. -54 Year- 2015 Thana -ALIPUR District- GAYA

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1. Manish Kumar Son of Sri Bimalkant Sharma,
 2. Umakant Sharma
 3. Shrikant Sharma
 4. Ramakant Sharma
 5. Shyamdev Sharma
 6. Bimalkant Sharma, All sons of Late Rajnath Sharma, Resident of village-Keshpa, P.S.- Alipur, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Aggrawal, Sr. Adv.
Mr. Avinash, Adv.
For the Opposite Party/s : Mr. B. N. Pandey (App)
For the Informant : Ms. Prakritita Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 03-11-2015 Heard both sides.

The petitioner no. 1, 2, 3, 5 and 6 apprehend their arrest in Alipur P.S. Case No. 54/2015, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant named the petitioner along with other accused persons and alleged that they all assaulted the informant, when Shankar Charan Sharma came to save; the accused persons also assaulted him. From the possession of Baby Devi ornaments were snatched by Vineet Kumar and attempt was also made to outrage her modesty.

Learned counsel for the petitioner submits that omnibus and general allegation is made against the petitioner. The occurrence took place due to land dispute, but the injuries except two found on the person, father of the informant are simple in nature. There is a counter version.

However, learned counsel for the informant and learned A.P.P. vehemently opposed the prayer for bail.

Having considered the facts aforesaid and the fact that the petitioners are alleged to have assaulted the informant and his family members and on same and similar allegation the anticipatory bail petition of Raushan Kumar and Venkatesh Sharma had already been rejected vide order passed in Cr. Misc. 34031 of 2015, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

However, the petitioners, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and their prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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