

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43072 of 2015

Arising Out of PS.Case No. -96 Year- 2015 Thana -SONO District- JAMUI

- =====
1. Naresh Sharma son of Jago Sharma
 2. Bhola Sharma @ Bhola Paswan son of Guli Sharma
 3. Dashrath Sharma son of Chhakan Sharma
- All are residence of village- Bhalsum (Asarhua), P.S.- Sono(Charkapathar O.P.), District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Arun Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 14-10-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 325, 307 and 504 of the Indian Penal Code.

The prosecution case is that in the background of land dispute on 25.05.2015 co-accused Shyam Sundar Sharma and the petitioners came armed with lathi, danda, abused and assaulted the father of the informant when the informant came to rescue then he was assaulted by co-accused

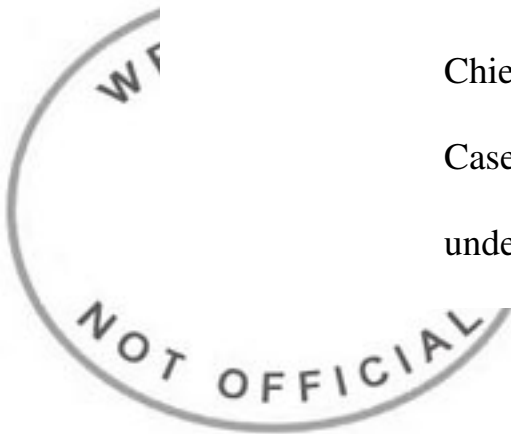
Rajesh, Sajesh, Rupesh and Pankaj.

It is submitted by learned counsel for the petitioners that for the occurrence of 25.05.2015 the FIR was registered on 17.06.2015 and there is no explanation for such a delay. The informant's father has received two lacerated injuries, one on the right parietal region and the other on the right arm. Both the injuries are of marginal size, though, one of the injuries is grievous being hair line fracture of the right parietal bone.

It is submitted by learned counsel for the informant that there is specific accusation against these petitioners and they along with Shyam Sundar Sharm assaulted the father of the informant and one of the injuries of the father of the informant has been found to be grievous.

Considering the accusation being omnibus and general against four persons but only two injuries being found though one of them being hair line fracture, there being delay of 22 days in lodging of the FIR and a statement made in paragraph 3 of the petition that the petitioners have no criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail

bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jamui in connection with Sono P.S. Case No. 96 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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