

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55445 of 2015

Arising Out of PS.Case No. -133 Year- 2015 Thana -GHANSHYAMPUR District- DARBHANGA

- =====
1. Santosh Sharma Son of Mahendra Sharma
 2. Binod Sharma son of Babu Narayan Sharma
 3. Suresh Sharma son of Ram Prasad Sharma
 4. Umesh Sharma son of Ram Prasad Sharma
 5. Babu Saheb Sharma son of Chandrashekhar Sharma
 6. Ram Babu Sharma son of Chandrashekhar Sharma
 7. Lakshmi Sharma son of Jageshwar Sharma
 8. Sutkun Sharma son of Mohan Sharma

All are resident of village- Borba, P.S. - Ghanshyampur, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Umesha Nand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 07-12-2015

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, 447, 323, 324, 307, 435 and 325 of the

Indian Penal Code.

The prosecution case is that in the background of land dispute co-accused Mahendra Sharma and Ramchandra Sharma inflicted Farsa blow on the head and hand of the informant whereas co-accused Mangal Sharma assaulted with iron rod causing uprooting of teeth of the brother of the informant. It is alleged that co-accused Bablu Narayan Sharma jumped on the chest of the informant and put the cattle shed on fire whereas co-accused Dasai Sharma assaulted with the butt of the pistol.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general and specific accusation of assault has not been alleged against the petitioners. The accusation has been levelled in the background of serious land dispute and a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the their event of 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 Sub-divisional
Judicial Magistrate, Biroul at Benipur, Darbhanga in connection
with Ghanshyampur P.S. Case No. 133 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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