

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24965 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -HATHAURI District- SAMASTIPUR

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1. Ramakant Sharma Son of Rajendra Sharma
2. Rajendra Sharma Son of Late Nandlal Sharma
3. Guddu Sharma Son of Rajendra Sharma All are resident of village -
Shivrama, P.S. Hathauri (Shivajeenagar O.P.), District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,447,341,323,324,307,379 and 504 of the Indian Penal Code.

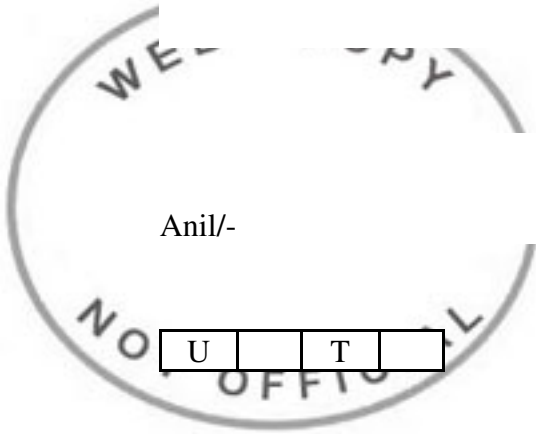
It is alleged that due to previous enmity the accused persons came variously armed and on the order of petitioner no. 2 Rajendra Sharma petitioner no.1 Ramakant Sharma assaulted with Farsa on the head of the informant as a result she fell down, thereafter other accused persons assaulted with lathi. It is further alleged that the daughter in law and the son came to rescue the informant then Guddu Sharma assaulted the daughter in law with

iron rod due to which she received injury and petitioner no. 2 assaulted the son of the informant. Co accused Bimla Devi snatched golden ear ring and petitioner no. 1 took rupees two thousand from the pocket of informant's son.

It is submitted by the learned counsel for the petitioners that the injury of the informant was found to be simple caused by hard and blunt substance whereas it is alleged that petitioner no. 1 assaulted the informant with sharp cutting weapon like Farsa. The injury report of the son of the informant reflects only abrasion of marginal size simple in nature whereas injury of the daughter in law of the informant has also been found to be simple. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. It is further submitted that for the occurrence of 23.2.2015 the FIR has been registered on 8.3.2015.

Considering the delayed lodging of the FIR and the accusation being not corroborated by the injury report, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Rosera, Samastipur in connection with Hathauri P.S. Case No. 17 of 2015 subject to

the conditions as laid down under Section 438(2) Cr.P.C.



Anil/-

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(Dinesh Kumar Singh, J)