

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35072 of 2014

Arising Out of PS.Case No. -897 Year- 2013 Thana -BEGUSARAI TOWN District- BEGUSARAI

1 Shivji Sharma S/o Late Triveni Sharma
2. Kamal Sharma S/o Arvind Sharma
3. Paras Sharma @ Paras Nath Sharma S/o Geeta Sharma All are Resident
of Village Mirzapur Bandwar, Sharma Tola, P.S. Begusarai, District
Begusarai. . Shivji

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kr. Verma

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

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD
SINGH
ORAL ORDER

2 04-03-2015 Learned counsel for the petitioners submits that petitioner
nos. 1 and 2, namely, Shivji Sharma and Kamal Sharma, have
been arrested due to long pendency of this application. As such,
the application on their behalf has become infructuous.

Petitioner no.3 apprehends arrest in relation to Begusarai
Town P.S. Case No. 897/2013 instituted under sections 341, 323,
452, 386 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner draws attention of this
Court to the order of the learned Sessions Judge in which he has

clearly noted that in course of investigation no prosecution witness has supported the story of extortion, as alleged by the informant, rather all the witnesses have clearly stated that there is pre-existing land dispute between the parties. It is surprising as to how under such circumstances, the learned Sessions Judge refused to grant bail to the petitioner.

Be that as it may, in the event of arrest/surrender within four weeks from today, the petitioner, Paras Sharma @ Paras Nath Sharma shall be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai, in Begusarai Town P.S. Case No. 897/2013(G.R.No. 5737 of 2013), subject to the conditions as laid down under section 438(2) Cr.P.C.

(Navaniti Prasad Singh, J)

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