

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53561 of 2015

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

- =====
1. Babu Narayan Sharma Son of Late Thithar Sharma,
 2. Dasai Sharma, Son of Sri Babu Narayan Sharma, Both are resident of village - Borba, Police Station - Ghanshyampur, District - Darbhanga.

.... Petitioner/s

Versus

1. 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. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-11-2015 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 447, 323, 324, 307, 435, 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 petitioner No. 1 jumped on the chest of the informant and put the cattle shade on fire whereas petitioner No. 2 assaulted with the butt of the pistol.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. The petitioner No. 1 is 80 years

old and there is counter version of the occurrence also.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that accusation of assault is not specific against the petitioners and there is counter version of the occurrence also, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond 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.

Shageer/-

(Dinesh Kumar Singh, J)

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