

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57671 of 2015

Arising Out of PS.Case No. -161 Year- 2013 Thana -MUFFASIL District- AURANGABAD

1. Manoj Sharma
2. Satish Sharma
3. Sanjeet Sharma
All three are sons of Surendra Prasad Sharma Resident of Village- Jaitpur,
P.S Haspura, District Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Manoj Kumar(App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-01-2016 Heard Sri Krishna Prasad Singh, learned senior counsel,

who was assisted by Sri Bhaskar Shankar, learned counsel for the

petitioners, learned A.P.P. as well as Sri Shailesh Kumar Singh,

learned counsel, who has voluntarily appeared on behalf of the

informant.

Three petitioners, who are own cousin of the
informant of the preset case and are in custody since 20.8.2015
in connection with Aurangabad (M) P.S. Case No. 161 of 2013
registered for the offence under Section 307 and other allied
Sections of the Indian Penal Code and Section 27 of the Arms Act
have prayed for grant of bail.

It was submitted by Sri Singh, learned senior counsel

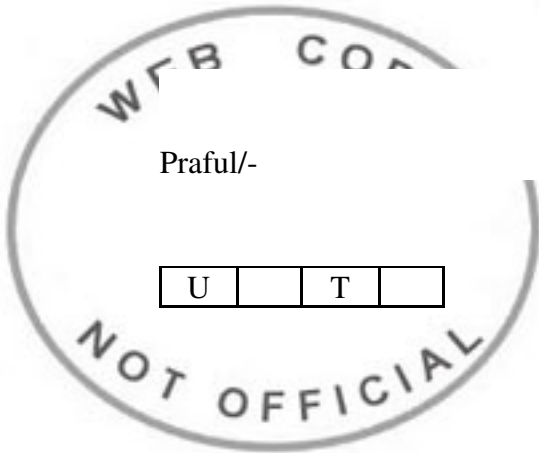


that land dispute in between the parties is going on and besides this several cases have been filed by both the sides against each other. He submits that of- course in this case Section 27 of the Arms Act has been incorporated, but fact remains that no fire arm injury was found on the person of the informant. By way of referring to the injury report, learned counsel for the petitioners submits that all the injuries on the person of the informant are simple in nature.

Learned counsel for the informant has vehemently opposed the prayer of bail. He submits that petitioners are having criminal antecedent. They are accused in at least three cases which has been mentioned in paragraph no. 3 of the petition. He further submits that petitioners' side remained always aggressor and they are committing offences against the informant.

Be that as it may, keeping in view the fact that the petitioners are cousin of the informant and litigation in between them is going on since long as well as the period of custody of petitioners, let the aforesaid three petitioners namely Manoj Sharma, Satish Sharma and Sanjeet Sharma be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection

with Aurangabad (M) P.S. Case No. 161 of 2013.



Praful/-

(Rakesh Kumar, J)