

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40977 of 2016

Arising Out of PS.Case No. -166 Year- 2015 Thana -MARAUNA District- SUPAUL

1. Bhagwat Sharma son Harnathi Sharma
2. Durganand Sharma son of Bhagwat Sharma
Both are Resident of Village-Lalmaniya, Tola-Narho, Police Station-
Marauna, District-Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Goutam
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-09-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Marauna Police Station Case No. 166 of 2015,
disclosing offences under Sections 147, 148, 149, 341, 323,
324, 325, 307, 379, 427, 448, 504 and 506 of the Indian
Penal Code.

As per the First Information Report, two
persons, namely, Kumari Devi and Rajendra Kamat,
received injuries. The occurrence appears to have taken
place over some land dispute between the informant and
the accused persons. There are 6 (six) persons named in
the First Information Report, belonging to the same family,

including female members.

Learned Counsel for the petitioners has submitted that injury on Kumari Devi has been found to have been caused by sharp cutting weapon and allegation of causing injury on Kumari Devi is on co-accused Laxmi Kumar Sharma. So far as these petitioners are concerned, allegation against them is of having assaulted Rajendra Kamat with khanti and dabia, which are sharp cutting weapons. Referring to the injury report of Rajendra Kamat, learned Counsel for the petitioners has submitted that the injury has been found to have been caused by hard and blunt substance.

Considering the above submissions, this application is allowed.

Let the petitioners, namely, Bhagwat Sharma and Durganand Sharma, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Supaul, in connection with Marauna Police Station Case No. 166 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the

petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

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