

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46595 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -MEHANDIA District- JEHANABAD

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1. Krishna Sharma S/o Late Pradeep Sharma
2. Kameshwar Sharma S/o Late Prem Sharma Both R/o Village- Goind,
P.S.- Mehandia, District- Arwal.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 01-12-2016

Heard both sides.

The petitioners apprehend their arrest in connection with Mehandia P.S. Case No. 53 of 2016 registered under Sections 147, 148, 149, 341, 323, 324, 307, 354 and 379 of the Indian Penal Code and 27 of the Arms Act.

The informant Lallan Sharma alleged that eight accused persons including these two petitioners having armed with different arms and ammunitions entered into his house and started robbing and taken away different articles from his house. There were female members in his house. On protest they opened indiscriminate firing and also assaulted the informant and other female members. Learned counsel for the petitioners submits that the petitioners are alleged to have armed with grasi and khanti.



The informant Lalan Sharma got one injury on his wrist. There is a counter version being Mehandia P.S. Case No. 54 of 2016. Similarly situated co-accused persons namely, Bablu Kumar, Mrityunjay Sharma @ Mrityunjay Kumar Sharma and Raj Kumar Sharma have already been granted anticipatory bail vide order dated 24.10.2016 passed in Cr.Misc.No. 43019 of 2016. The case of the petitioners stands on better footing. The injury report of the informant does not corroborate his own allegation that accused persons have assaulted him although he got only one injury on wrist.

Considering the fact that similarly situated co-accused persons have been granted anticipatory bail, let the petitioners above named in the event of their arrest or surrender in the Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Mehandia P.S. Case No. 53 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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