

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20887 of 2016

Arising Out of PS.Case No. -483 Year- 2015 Thana -BAGHA District- WEST CHAMPARAN
(BETTIAH)

=====

1. Suraj Sharma @ Mallu Sharma
2. Ajit Sharma @ Jhinka
Both sons of Rajaram Sharma, resident of village- Babui Tola, P.S.-
Bagaha, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Binod Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. Md. Sufiyan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-05-2016

Learned counsel for the petitioners submits that
petitioner no. 1, Suraj Sharma @ Mallu Sharma, has already been
arrested. He seeks permission to withdraw the Anticipatory Bail
Petition of the petitioner no. 1.

Permission is granted.

The Anticipatory Bail Petition of petitioner no. 1,
Suraj Sharma @ Mallu Sharma, is dismissed as has become
infructuous.

Heard both sides.

Petitioner 2, namely, Ajit Sharma @ Jhinka
apprehends his arrest in a case under Sections 341, 323, 324, 307,
384, 379, 504, 506/34 of the Indian Penal Code.

The informant alleged that while he was returning

home on a motorcycle, Suraj Sharma @ Mallu Sharma and Ajit Sharma assaulted the informant with sword and Phattha. Suraj Sharma is said to have taken money from the pocket of the informant. It is submitted that the police did not find the case true under Sections 384 and 379 of the Indian Penal Code. There is omnibus and general allegation of assault against Ajit Sharma that he assaulted the informant with sword and Phattha but the injuries found on the person of the informant are simple in nature and caused by hard and blunt substance. There is a counter-version and both the parties are neighbours.

Considering the facts aforesaid, petitioner no. 2, namely, Ajit Sharma @ Jhinka, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bagaha, District West Champaran in Bagaha P.S. Case No. 483/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Dilip/-

U		T	
---	--	---	--