

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61 of 2016

Arising Out of PS.Case No. -115 Year- 2015 Thana -AJAMNAGAR District- KATIHAR

Jaideo Sharma S/o late Gajanand Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rina Sinha(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 504, 307 and 379/34 of the Indian Penal Code.

The prosecution case is that the 10 FIR named persons including the petitioner surrounded the son of the informant Narayan Sharma while he was returning from his shop and snatched Rs.17,000/-. It is alleged that when the informant came to rescue then the accused persons also assaulted the informant, his son, son-in-law and daughter. It is specifically alleged against the petitioner that he assaulted all the four persons from the informant's side with 'dabiya'.

It is submitted by learned counsel for the petitioner that petitioner is the own brother of the informant and due to petty

dispute the accusation has been levelled and only Narayan Sharma has received one sharp cut injury of marginal size on the scalp, though the same has been found to be simple in nature whereas others have received lacerated injuries caused by hard and blunt substance. There is counter version of the occurrence also.

Considering the fact that there is specific accusation against the petitioner of assaulting all the four persons of the informant's side by sharp cutting weapon whereas only one sharp cut injury on scalp of marginal size has been found, and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar in connection with Azamnagar P.S. Case No.115/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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