

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44859 of 2016

Arising Out of PS.Case No. -54 Year- 2016 Thana -MEHANDIA District- JEHANABAD

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1. Lalan Sharma
2. Mithilesh Sharma @ Mithilesh Sharma
3. Suresh Sharma
4. Jai Nandan Sharma All are S/o Late Rajendra Sharma
5. Randhir Kumar @ Randhir Kumar Sharma S/o Lalan Sharma All are R/o
Village- Goind, P.S.- Mehandia, District- Arwal.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-12-2016 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Mehandia P.S. Case No.54 of 2016 for the offences registered
under sections 341, 323, 324, 504, 354 and 379/34 of the Indian
Penal Code.

Petitioners are said to have entered into the house of the
informant and assaulted the informant as well as his minor
daughter and in that course, petitioner no.2 is said to have
snatched golden chain from the neck of the informant's daughter.
Annexure-2 to the petition goes to show that there is counter case
in which the petitioner no.1 claims that it was prosecution party,



who having entered into his house, assaulted the female members and committed theft.

Learned counsel for the petitioners points out that Bablu Kumar, Mrityunjay Sharma and Raj Kumar Sharma, who are accused in counter case, have already been admitted the privilege of anticipatory bail by a Co-ordinate Bench of this Court and so far as the present case is concerned, Section 354 of the I.P.C. is not made out and so far as Section 379 of the I.P.C. is concerned, the same appears to be superfluous. It is further submitted Section 354 of the I.P.C. is concerned, there is no specific allegation against any petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let petitioners above named in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of Sri Ashok Raj, Chief Judicial Magistrate, Arwal in Mehandia P.S. Case no. 54 of 2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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