

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30119 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -HULASGANJ District- JEHANABAD

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1. Pankaj Kumar S/o Baikunth Sharma R/o Vill virra, P.S. Hulasganj, Dist-
Jehanabad
2. Navin Kumar S/o Late Satish Sharma
3. Manoj Kumar S/o Late Satish Sharma Both 2 & 3 R/o vill - Dhuriyari,
P.S. Ghosi, Dist- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 26-10-2016

Heard both sides.

The petitioners apprehend their arrest in Hulasganj
P.S. Case No. 48 of 2016, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code and
Sections 25(1-b)a & 27 of the Arms Act.

The informant alleged that the petitioners came on
motorcycle and assaulted the informant with butt of the pistol. The
petitioners fled away after firing from the place of occurrence.

Learned counsel for the petitioners submits that the
petitioners are co-sharers of the informant. One Ram Jatan Sharma
executed will in favour of Sushila Devi, mother of petitioner no. 1

and wife of Baikunth Sharma with regard to whole lands. Mother of Petitioner no. 1 filed probate case no. 13/2014 in which the informant is opposite party no. 5. The informant lodged this case only to grab the lands of Petitioner no. 1. Petitioner nos. 2 and 3 are relatives of petitioner no. 1 and they do not belong to the same village and that is why this false case has been lodged. The injury sustained by the informant is simple in nature. There is no firearm injury. Petitioner no. 1 is a constable of CRPF.

Considering the facts aforesaid and the fact that the petitioners are co-sharers and there is litigation between the parties with regard to probate of will, petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Hulasganj P.S. Case No. 48 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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