

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45997 of 2016

Arising Out of PS.Case No. -80 Year- 2016 Thana -JALALGARH District- PURNEA

- =====
1. Santosh Kumar Sharma @ Santosh Sharma Son of Sri Sita Ram Sharma
 2. Sandip Sharma Son of Sri Sita Ram Sharma
 3. Dilip Sharma Son of Sri Sita Ram Sharma
 4. Gangiya Devi @ Ganga Devi Wife of Sri Sita Ram Sharma
 5. Rani Devi Wife of Sri Sandip Sharma
 6. Sita Ram Sharma Son of Late-Lattu Sharma All Resident of Village-Bochgaon, P.S.- Jalalgarh, District-Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 28-11-2016 Heard both sides.

The petitioners apprehend their arrest in Jalalgarh P.S. Case No. 80/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant Dharmmlal Sharma alleged that on account of election dispute, on the order of Sita Ram Sharma (petitioner no. 6), Sandip Sharma assaulted Arun Sharma younger son of the informant with iron rod on his head. Santosh Sharma assaulted Dharmmlal Sharma with lathi on his head and left hand. Sandip Sharma also assaulted Suresh Sharma eldest son of the informant with iron rod.

It appears that Santosh Kumar Sharma petitioner no. 1 and Sandip Sharma petitioner no. 2 are alleged to have assaulted the informant and his sons. There is no allegation of assault against Dilip Sharma petitioner no. 3, Gangia Devi petitioner no. 4, Rani Devi petitioner no. 5 and Sita Ram Sharma petitioner no. 6.

Considering the facts aforesaid, Dilip Sharma petitioner no. 3, Gangia Devi petitioner no. 4, Rani Devi petitioner no. 5 and Sita Ram Sharma petitioner no. 6 are 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 Sub-Divisional Judicial Magistrate, Purnea in connection with Jalalgarh P.S. Case No. 80/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

So far as the case of Santosh Kumar Sharma petitioner no. 1 and Sandip Sharma petitioner no. 2 is concerned, they are assailants of the informant and his sons and the informant got injuries on head and hand. Injury on hand was found to be grievous.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioner no. 1 and 2 on anticipatory bail.
Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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