

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38854 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Chandrika Sharma,
 2. Shambhu Sharma, both are sons of Late Ram Briksha Sharma,
 3. Pramod Sharma, S/o Shambhu Sharma, All R/o village Bairia Tola,
Bairia Tola, Banjaria, P.S. Pipra, District East Champaran, Motihari.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Pipra P.S. Case no. 53 of 2016, registered under Sections 147, 148,
341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

The accusation is that on 20.03.2016 all persons named
in the F.I.R., including the petitioners, came near the informant, who
was engaged in repairing his “Dalan” and asked to stop repairing
work, when the informant made protest then all the persons started
abusing and assaulting him through Lathi and Fatha. When his wife
Kushmi Devi and his three sons, namely, Vinod Sharma, Sunil Sharma
and Munna Sharma rushed to save the informant, then Shambhu
Sharma (Petitioner No.2) caused injury at the head of his son Munna

Sharma through farsa. In course of the occurrence the wife of the informant and his all sons sustained severe injuries.

Learned counsel for the petitioners submits that petitioners are the Gotiya of the informant and occurrence took place due to land dispute in which hot talk were exchanged. Moreover, the injuries as found on the person of informant, his wife and sons are of simple in nature, which would appear from the Annexure-2 series.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari in connection with Pipra P.S. Case No. 53 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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