

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40430 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -SRI NAGAR District- MADHEPURA

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1. Harilal Sharma, Son of Late Barislal Sharma, Resident of Village-
Bhagwa, P.S.- Srinagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s Mr. Manoj Kumar – 1, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-09-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 27.06.2017 in connection with Srinagar P. S. Case No. 06/2017 registered for the offences punishable under Sections 341, 323, 324, 379, 307 and 504/34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that while he was putting a ridge in his land, the petitioner along with three other co-accused came to his land and started abusing him. The allegation upon the petitioner is that he instigated the other co-accused upon which, Chedi Lal Sharma hit on his head with iron rod and co-accused Saryug Sharma also hit the informant by iron rod as a result he became unconscious.

It has been submitted by the learned counsel for the petitioner that he is innocent, no overt act has been committed by



the petitioner and the dispute was with regard to the same land and the present case is counter blast to the earlier case lodged by the petitioner's side bearing Srinagar P. S. Case No. 05 of 2017 for the same occurrence on the same date and earlier time, in which the informant's side is also alleged to have committed offence under Section 307 of the Indian Penal Code. He submits that injury is not attributable to the petitioner and both sides were inimical to each other.

Learned counsel for the State opposes the prayer for bail stating therein that the informant has sustained the injury from sharp cutting substance and injury found is grievous in nature.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- IInd, Madhepura in connection with Srinagar P.S.Case No. 06 of 2017, subject to the conditions that one of the bailors would be a close relative of the petitioner.

(Nilu Agrawal, J)

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