

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24266 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -MAHESI District- SAHARSA

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1. Bharosh Sharma @ Ram Bharosh Sharma,
2. Raushan Sharma, Both Sons of Late Sidheshwar Sharma, Resident of
Village- Baluaha, P.S.- Mahishi, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 25-08-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Mahishi P.S. Case No. 159 of 2016, registered under Sections
341, 323, 325, 379, 504 and 506/34 of the Indian Penal Code,
pending in the court of Chief Judicial Magistrate, Saharsa.

The accusation is that, on 05.12.2016, at about 8
A.M., the informant, Ghurn Sharma, made protest about blocking
the path by his agnates, petitioner nos. 1 and 2, on which, both
petitioners started to abuse and caused assault through iron rod
causing fracture injury at his left leg and chest.

Learned counsel for the petitioners submits, in fact,



occurrence took place due to land dispute, in which, petitioner no. 2 also sustained injury, regarding which, Mahishi P.S. Case No. 160 of 2016 is also instituted, in which, the informant of the present case has been made accused.

Learned A.P.P. opposed the prayer for anticipatory bail of the petitioners and submits that two fracture injuries were found on the chest and leg of the informant, which would appear from paragraph 23 of the case diary.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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