

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25302 of 2017

Arising Out of PS.Case No. -80 Year- 2016 Thana -PALIGANJ District- PATNA

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1. Nawal Sharma @ Nawal Singh, Son of Late Ram Parikshan Singh,
 2. Manish Kumar, Son of Nawal Sharma.
 3. Surendra Singh, Son of Parshuram Singh.
 4. Lalan Singh @ Lalan Sharma, Son of Late Bachan Singh.
 5. Prince Kumar @ Bishwajit Kumar, Son of Dhananjay Sharma.
 6. Dhananjay Sharma @ Dhananjay Mohan Sharma, Son of Late Ramanuj Sharma.
 7. Sanjay Sharma @ Sanjay Kumar @ Sanjay Singh, Son of Late Ramanuj Sharma,
 8. Devendra Sharma, Son of late Kedar Sharma.

All resident of Village- Fatehpur, P.S.- Paliganj, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 01-07-2017

Heard learned counsel for the petitioners.

Despite valid service of notice, on repeated calls,
nobody appears on behalf of the State.

The petitioners seek pre-arrest bail in connection
with Paliganj P. S. Case No. 80 of 2016 registered under
Sections 147, 148, 149, 379 and 307 of the Indian Penal Code
and 27 of the Arms Act.



Mr. Ansul, learned counsel for the petitioners submitted that it would be evident from the FIR that land in question is of the accused Devendra Sharma. The informant entered into agreement with Devendra Sharma for setting up a poultry form. Since the owner of the land asked the informant for rent, the informant got enraged and lodged a false case targeting Devendra Sharma and his relative. He submitted that on the alleged date of occurrence, petitioner no. 7 Sanjay Sharma was assaulted by the members of the prosecution party for which Paliganj P.S. Case No. 79 of 2016 was registered *inter alia* under Section 307 of the Indian Penal Code and 27 of the Arms Act and in retaliation to that case, the present case, i.e. Paliganj P.S. Case No. 80 of 2016 has been registered. He submitted that it would also be evident from the record that no injury was caused to anyone in the incident alleged by the informant of the case.

Considering the submissions made above, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Danapur, District Patna in Paliganj P. S. Case No. 80 of 2016, subject to the conditions as laid down under



Section 438 (2) of the Code of Criminal Procedure, in the event of their arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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