

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30432 of 2017

Arising Out of PS.Case No. -114 Year- 2017 Thana -BIHPUR District- BHAGALPUR

- =====
1. Upendra Sharma @ Umesh Prasad Sharma, Son of Late Narayan Sharma
 2. Tribhuwan Sharma, Son of Upendra Sharma @ Umesh Prasad Sharma
 3. Ashok Sharma @ Ashok Kumar Sharma, Son of Dhrab Sharma
- All residents of Village Ashatol P.S. Bihpur (Bhawanipur), District Bhagalpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioners and the learned
APP appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Bihpur (Bhawanipur) P.S. Case No.114 of 2017 registered under Sections 341, 323, 504, 307, 379 and 354A/34 of the Indian Penal Code.

The allegation is of assaulting and abusing the informant and other family members by the accused persons on the issue of bringing tractor close to the boundary of informant's house so on protest the occurrence took place. Specific allegation of assault is against Ashok Sharma and Tribhuwan Sharma as both alleged to have assaulted on the hand of the informant causing injury. Further allegation against Upendra Sharma is that he snatched away a gold



chain of informant's daughter-in-law.

Learned counsel for the petitioner submits that there is case and counter case between both sides and only one injury found on the person of the informant is grievous whereas allegation against petitioner no.1, namely, Upendra Sharma, who is a teacher in a government school, is of snatching gold chain.

Having considered the specific allegation against petitioner nos.2 and 3 causing grievous injury to the informant, the prayer for anticipatory bail of petitioner nos.2 and 3 is rejected in connection with Bihpur (Bhawanipur) P.S. Case No.114 of 2017, pending in the court of the learned A.C.J.M., 1st, Naugachia, Bhagalpur.

So far as petitioner no.1 is concerned, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let petitioner no.1, namely, Upendra Sharma @ Umesh Prasad Sharma, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st, Naugachia, Bhagalpur in connection with Bihpur (Bhawanipur) P.S. Case No.114 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

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