

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21462 of 2017

Arising Out of PS.Case No. -382 Year- 2016 Thana -CHHATAPUR District- SUPAUL

- =====
1. Bechan Sharma Son of late Dhanay Sharma
 2. Shiv Shankar Kumar Son of Bechan Sharma Both Resident of Karhara,
Ward No. 10, P.S. Chhatapur, District Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

- 3 06-07-2017 Heard the learned counsel for the petitioners as well
as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Chhatapur P.S. Case No. 382 of 2016 for the offences punishable under sections 302, 341, 323, 324, 307, 504, 506 and 34 of the I.P.C.

Allegedly, the petitioners and co-accused Ramdeo Sharma, the father of the informant, were uttering against the family of the informant and were abusing and then the informant went there and forbade them and then petitioner no.1 got him down and all the three started assaulting him and when Manoj sharma, own brother of the informant, came for rescue he was also



assaulted by them and petitioner no.1 pierced spear in the left chest of Manoj Sharma causing his death.

Submission is of false implication and that the manner of occurrence as alleged is not true, during altercation the deceased received injury by Ballam, against petitioner no.2 there is no allegation and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that the petitioners are named in the FIR and they all have assaulted the informant and the deceased.

In the facts and circumstances as stated above, considering the allegation, I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Supaul.

(Jitendra Mohan Sharma, J)

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