

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28075 of 2017

Arising Out of PS.Case No. -102 Year- 2017 Thana -KAKO District- JEHANABAD

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Sanjay Sharma, Son of Akal Sharma, resident of Village- Dedhsaiya, Police Station- Kako in the District- Jehanabad.

..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar, Advocate.

For the Opposite Party : Mr. S.M. Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Kako (Bhelawar) P.S. Case No. 102/2017 for the offences instituted under Sections 147, 149, 307 and 379 of the IPC.

The prosecution story, in brief, is that on 08.05.2017, the petitioner told the informant that earth will be loaded on his tractor at first and thereafter earth will be loaded on other vehicles. On the above issued, an altercation was taken place between them. For which, on 09.05.2017, all the five accused alongwith co-accused Tinku Kumar, Sudhir Sharma and Bade Sharma assaulted the informant by means of Iron rod causing injuries on his head. Co-accused Tinku Kumar assaulted informant's wife Tetri Devi by



means of Pasuli causing injuries on her ear and head. Co-accused Bade Sharma assaulted the daughter-in-law of the informant Soni Devi by means of Khanti. Accused also assaulted Suraj Kumar by means of Iron rod. Mobile and cash of Rs. 1,000/- of the informant's son, Niranjana Kumar, were also stolen by the accused persons.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is a case and counter case between the parties. Both sides have been injured. The injury on the petitioner's side has not been explained by the prosecution. The alleged occurrence is said to have taken place for a petty reason.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Kako (Bhelawar) P.S. Case No. 102/2017 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.- IV, Jehanabad, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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