

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38682 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -HULASGANJ District- JEHANABAD

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1. Satendra Sharma @ Satyendra Sharma, son of Babudeo Singh,
 2. Madan Sharma @ Madan Singh, son of late Nagendra Sharma,
 3. Happy Kumar, son of Sanjay Sharma,
 4. Sanjay Sharma, son of late Raj Nandan Sharma,
 5. Baleshi Sharma, son of Awadh Singh,
 6. Rakeshi Sharma, son of Awadh Singh,
 7. Surendra Sharma, son of Awadh Singh,
 8. Dhiraj Sharma, son of late Jayram Sharma,
 9. Tutu Sharma @ Appu, son of late Briksh Singh,
 10. Deepak Kumar, Son of Doman Singh, all resident of village- Kandaul,
P.S.- Hulasganj, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 13-09-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in Hulasganj P.S.

Case No.61 of 2017 instituted for the offence under Section(s)

147, 148, 149, 341, 323, 324, 307, 379, 386, 427, 120-B, 504,

506 Indian Penal Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioners
that there is general and omnibus allegation against these
petitioners. No injury has been sustained by anybody.

Case diary has been received.



Learned APP has submitted that there is no Injury Report available in the case diary.

Prosecution case, in short, is that Khudarui Kandaul sand ghat was settled with one Banshidhar Construction Company, Maner, Patna, which had entrusted the work to petty Contractor, Satyendra Sharma, who had entrusted the work of lifting the sand to the informant and others. On the date of occurrence, these petitioners and other 28 named accused persons and eight unknown persons raised objection and committed *Maarpeet* and also fired from the gun.

As such, there is general and omnibus allegation against these petitioners. There is no any injury report.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Hulashganj P.S. Case No.61 of 2017, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-cum-Sub Judge IV, Jehanabad, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be



local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

JA/-

(Sanjay Priya, J)

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