

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11683 of 2017

Arising Out of PS.Case No. -497 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

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1. Ramesh Sharma Son of Baldeo Sutihar,
2. Dinesh Sharma Son of Baldeo Sutihar,
3. Rabin Sharma @ Ravindra Sharma Son of Dinesh Sharma All of them
are Resident of Village-Tiri Bhagwanpur, P.S.-Sour Bazar, District-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 18-03-2017 Heard both sides.

The petitioners, 1. Ramesh Sharma, 2. Dinesh Sharma and 3. Rabin Sharma @ Ravindra Sharma seek bail in Sour Bazar P.S. case No. 497 of 2016 under Section 302 and other Sections of the Indian Penal Code.

The informant named Baldeo Sutihar, Dinesh Sharma, petitioner No.2, Ramesh Sharma, petitioner No.1, Harilal Sharma, Raja Sharma, Rabin Sharma @ Ravindra Sharma, petitioner No.3, and alleged that they along with 10 other persons came to his land and put the straw. His father protested. On the order of Baldeo Sutihar, Harilal Sharma assaulted his father with Garasa on his head. Other accused persons also assaulted his



father with stick.

The learned counsel for the petitioners submits that petitioners are, of course, named in the FIR and they are alleged to have assaulted the father of informant with stick but from perusal of the post mortem report, it would appear that only one sharp cut injury was found on the head of Rajendra Sharma, father of informant, and there is no other external or internal injury on the body of deceased. Single injury found on the head is attributed to Harilal Sharma and on account of the aforesaid single injury the deceased died. The petitioner No.1 is in jail since 17.12.2016 and petitioners No.2 and 3 are in jail since 14.01.2017.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioners are directed to be enlarged 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 Chief Judicial Magistrate, Saharsa in Sour Bazar P.S. Case No. 497 of 2016.

(Prabhat Kumar Jha, J)

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