

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60246 of 2017

Arising Out of PS. Case No.-92 Year-2017 Thana- PARAIYA District- Gaya

SOMDUTT KUMAR @ SOMDUTT SHARMA, Son of Surendra Sharma,
Resident of village - Pokhrama, Police Station - Kajra, District - Lakhisarai.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,149,341,323,307,325 and 504 of the Indian Penal Code.

Prosecution case as per Fardbeyan of one Rakesh Kumar is that on 21.06.2017 at 5 PM the accused persons abused and assaulted the brother of the informant with lathi, danda and when the informant and his father came to his rescue, they were also assaulted. The reason for the occurrence is dispute with regard to drainage.

It is submitted by learned counsel for the petitioner that the petitioner is the agnate of the informant and in the background of serious land dispute the accusation has been levelled. The petitioner's side lodged the case at earlier point of



time being Paraiya P.S. Case No.91 of 2017. Though the informant, his brother and father have received injuries on the Occipital region, but the order of learned Sessions Judge does not suggest that any injury has been found to be grievous. However, opinion with regard to some of the injuries have been kept reserved. The petitioner has also received injuries. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the accusation being omnibus and general, the case lodged by the petitioner's side at earlier point of time coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Gaya, in connection with Paraiya P.S. Case No.92 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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