

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15156 of 2017

Arising Out of PS.Case No. -235 Year- 2016 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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1. Bhola Sharma, Son of Late Shiv Narain Sharma,
 2. Tetari Devi, Wife of Bhola Sharma.
 3. Suresh Sharma, Son of Bhola Sharma.
 4. Rina Devi, Wife of Suresh Sharma.
 5. Ramesh Sharma, Son of Bhola Sharma.
 6. Anita Devi, Wife of Ramesh Sharma.
 7. Chandan Kumar Sharma @ Chandan Kumar, Son of Bhola Sharma.
 8. Ram Prasad Sharma, Son of Late Shiv Narain Sharma.
 9. Sita Devi, Wife of Ram Prasad Sharma.
 10. Sakal Sharma, Son of Late Shiv Narain Sharma,
 11. Dewanti Devi @ Devati Devi @ Hewanti Devi, Wife of Sakal Sharma.
 12. Mantu Kumar Sharma, Son of Late Ramashray Sharma,
 13. Vikash Kumar Sharma @ Vikash Kumar, Son of Late Ramashray Sharma.
 14. Vinay Sharma, Son of Sahangu Sharma.
 15. Lav Kush Sharma, Son of Vinay Sharma, All residents of Village-Taraon, P.S. Nasriganj, District- Rohtas.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 01-07-2017 Learned counsel for the petitioners seeks permission to withdraw the application filed on behalf of petitioner No.8 Ram Prasad Sharma and petitioner No.12 Mantu Kumar Sharma.

In view of the above, the application filed on behalf of petitioner No.8 Ram Prasad Sharma and petitioner No.12 Mantu Kumar Sharma is dismissed as withdrawn.



Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Nasriganj P.S. Case no. 235 of 2016, registered under Sections 147, 148, 149, 323, 324, 354, 504, 307 and 506 of the Indian Penal Code.

The accusation is that all the 15 persons named in the F.I.R. including the petitioner came at the field of the informant, where wife of the informant was making cattle dung cake and started claiming that the said land belongs to them while the said land is of one Chanda Devi. Thereafter, all of them caused injury through Farsa, Tangi, Khanti, Tangi, Danda and Bricks in which brother, sister-in-law and informant sustained injury.

Learned counsel for the petitioners submits that occurrence of Marpit took place between the parties due to land dispute in which both sides have sustained injuries and a counter case i.e. Nasriganj P.S. Case No. 234 of 2016 was also instituted on 21.11.2016 under Sections 147, 148, 149, 323, 379, 307, 504, 306 and 354 of the Indian Penal Code on the basis of fardbeyan of petitioner No.1 Bhola Sharma against the informant and his other family members. Moreover, the injuries as found on the person of Chanda Devi, Krishna Kumar Singh, Harbans Singh,



Rishimuni Singh and Mukesh Kumar are of simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners i.e. petitioner No. 1 to 7, 9 to 11 and 13 to 15 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Bikramganj (Rohtas) in connection with Nasriganj P.S. Case No. 235 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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