

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14832 of 2017

Arising out of PS.Case No. -437 Year- 2016 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

- =====
1. Ram Balak Sharma @ Rambalak Sharma S/o Late Bhikari Sharma
 2. Dilip Sharma @ Deelip Sharma, S/o Ram Balak Sharma @ Rambalak Sharma,
 3. Akshaya Sharma @ Akshay Kumar Sharma, S/o Ram Balak Sharma @ Rambalak Sharma,
 4. Amarjeet Sharma @ Amardeep Sharma @ Amardeep Kumar Sharma, S/o Ram Balak Sharma @ Rambalak Sharma, All R/o Village- Ayodhya Bari, P.S.- Muffasil (Lakho O.P.), District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s	:	Ms. Nirmala Kumari, Advocate
For the O.P. No. 2	:	Mr. Ashish Kumar, Advocate
For the State	:	Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2017 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners apprehend their arrest in connection with Mufassil (Lakho O.P.)P.S. Case No. 437 of 2016, registered for the offences punishable under Sections 341, 323, 308, 504, 506 and 34 of the Indian Penal Code.

Allegations against the petitioners and other accused is of assaulting to the informant and his mother and other injured persons.

It has been submitted on behalf of the petitioners that



there is case and counter case between the parties and also there is a delay of about eight days in lodging the FIR. It has further been submitted that due to dispute they have falsely been implicated in this case.

Heard learned A.P.P. as well as learned counsel for the informant who has submitted that the injury attributed to the mother of the informant is grievous in nature.

In this case, case diary has been called for. The case diary has been received up to para-39 and from perusal of the same, it appears that neither injury report is available alongwith the case dairy nor details of same has been mentioned in case dairy. Though opinion on the injury report is available in the case diary but that does not clearly show that on which part of the body, the mother of the informant received injury that clearly shows the laxity on the part of I.O.

Having heard both sides and in view of the facts and circumstances as stated above, let the petitioners, named above, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Mufassil (Lakho O.P.) P.S. Case No.



437 of 2016, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

With following conditions:

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court;
- (ii) The petitioner will not induce any witness or tamper with the evidence; and
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

Let a copy of this order be also sent to the Superintendent of Police, Begusarai for his perusal.

(Vinod Kumar Sinha, J)

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