

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30914 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -PAUTHU District- AURANGABAD

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1. Sonu Kumar
2. Vikas Kumar @ Bholu
Both S/o Uma Shankar Sharma R/o Village Latta, P.S. Pauthu, District
Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Santosh Kumar Pandey, Advocate.
For the State : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-08-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Pauthu P.S.
Case No. 36 of 2017 instituted for the offence under Sections 341,
323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

It has been submitted that both parties are close
agnates and descendants of common ancestors. There was land
dispute between the parties. The occurrence took place on account
of land dispute between the parties for which case and counter
case has been lodged and the injuries have been sustained by both
sides.

In the written report it is alleged that these petitioners



along with co-accused Uma Shankar Sharma assaulted the informant and his other family members on account of which the informant's daughter Shashi Singh, three sons of the informant namely, Prakash Kumar Gautam, Deepak Kumar and Pankaj Kumar, became injured.

Counter case has also been filed by Vikas Kumar @ Bhola (petitioner No. 2) against the informant Ram Naresh Sharma and five others. In that occurrence, it is alleged that these petitioners and their mother sustained injury.

Supplementary affidavit and counter affidavits have been filed by the petitioners and opposite party No. 2. The injury reports of both sides have been filed from which it appears that there has been free fight between them.

There is general and omnibus allegation against the petitioners. From the injury report it appears that petitioners also sustained injury on the date of occurrence.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Pauthu P.S. Case No. 36 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of



the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, 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.

S.Ali/-

(Sanjay Priya, J)

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