

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23189 of 2018

Arising Out of PS.Case No. -624 Year- 2017 Thana -BANKA District- BANKA

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1. Thakur Sharma, S/o Late Naigee Sharma,
2. Kundan Sharma,
3. Gautam Sharma, Both Sons of Thakur Sharma,
4. Chhotelal Sharma S/o Late Kadru Sharma,
5. Lalita Devi @ Mika Devi W/o Thakur Sharma,
6. Mamta Sharma W/o Gautam Sharma,
7. Usha Devi W/o Kundan Sharma, All Residents of Maheshadih, P.S. & District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 26-04-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504, 308, 34 of the IPC

The prosecution case as per the written report of Pappu Kumar Sharma dated 27.09.2017 at 6.00 A.M. is to the effect that the neighbors of the informant, Thakur Sharma, petitioner No.1, Kundan Sharma, petitioner No.2, Gautam Sharma, petitioner No.3, Chhotelal Sharma, petitioner No.4, came and assaulted the wife of the informant with lathi, as a result of which she received injury on her head. When the informant went to save his wife, he was also assaulted by Lalita Devi, petitioner No.5, Mamta Sharma,



petitioner No.6, due to which the informant received injury on the head and the right hand. Mamta Devi and Usha Devi snatched the earring of the informant's wife.

It is submitted by learned counsel for the petitioner that the accusation of assault is only omnibus and general against four persons, who have assaulted the informant and the injury is found simple in nature. It is also submitted that there is counter case being Banka P.S. Case No.623 of 2017, which has been registered against the informant.

On the other hand, learned A.P.P. vehemently opposed the prayer for bail.

Considering the facts aforesaid, the nature of accusation made against the petitioner and the injury being found simple in nature, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Banka P.S. Case No.624 of 2017 G.R. No.3150 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Sanjeev/-

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(Dinesh Kumar Singh, J)

