

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12554 of 2018

Arising Out of PS.Case No. -281 Year- 2017 Thana -GHOSI District- JEHANABAD

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1. Ram Uday Sharma, S/o Late Jageshwar Singh,
2. Sanni Kumar S/o Ram Uday Sharma,
3. Ram Niwash Sharma S/o Late Rupan Singh,
4. Harendra Sharma @ Harendra Kumar Sharma S/o Ram Niwas Sharma,
5. Anil Sharma S/o late Chandrika Singh, All R/o Village- Dogra, P.S.-
Ghoshi, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amish Kumar

For the Opposite Party/s : Mr. Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 06-03-2018 Heard both sides.

The petitioners apprehend their arrest in Ghosi P.S.
Case No.281 of 2017 registered under Sections 147, 148, 149,
448, 452, 323, 324, 307, 379, 504 of the Indian Penal Code and
Section 27 of the Arms Act.

The informant, Alok Ranjan named the petitioners,
five in numbers, along with eight other persons and alleged that
they have been armed with different lethal weapons and firearm
entered into his house abused him and indiscriminately assaulted
him with lathi, spear and pistol with intention to kill him. He got a
blow of garasa on his head and blood started oozing from his head.



Shailesh was assaulted by Jay Ram with butt of pistol.

The learned counsel for the petitioners submits that there is a counter version being Ghosi P.S. Case No.284 of 2017. Sudha Devi, wife of Harendra Sharma, petitioner No.4 lodged the aforesaid case. The informant did not make any allegation of assault against the petitioners. 13 persons are alleged to have assaulted the informant, Alok Kumar @ Alok Ranjan but Alok Ranjan got one lacerated injury over occipital region 3"x1/2" skin deep and another is bruise over (u) shoulder region 1"x1/2". It is submitted that allegation of indiscriminate assault made by 13 persons is false because of the fact that informant himself got only two injuries which appear to be superficial and simple in nature. Shailesh also got one lacerated wound that is attributed to Jay Ram but the injury is superficial in nature.

Learned counsel for the informant as well as learned A.P.P. however vehemently opposed the prayer for anticipatory bail and submitted that all the accused persons armed with lethal weapons entered into the house of the informant and indiscriminately assaulted the informant and Shailesh Kumar with intention to kill them.

Of course, 13 persons are named in the F.I.R. but all of them are alleged to have indiscriminately assaulted the informant



but the informant got only one lacerated wound and another is bruise which is superficial in nature. The informant did not name any person as his assailants. There is also a counter version.

Considering the facts aforesaid, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Mukesh Kumar Mishra, S.D.J.M., Jehanabad in connection with Ghoshi P.S. Case No.281 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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