

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12812 of 2018

Arising Out of PS. Case No.-245 Year-2017 Thana- HASPURA District- Aurangabad

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1. Shambhu Sharma, son of Late Rudra Nand Singh,
 2. Chhotu Sharma, Son of Shambhu Sharma, Both Resident of Village & Post- Jaitpur, P.S.- Haspura, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakib Ayaz

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 10-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Haspura P.S. case no. 245 of 2017 instituted for the offence under Section(s) 341,323, 324, 379, 307, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that instant case is counter blast of Mahila P.S. case no. 41 of 2017 dated 14.12.2017 under Sections 376, 511, 448, 323, 379/34 of the IPC and Section 8 of the POCSO Act registered against Ranjeet Sharma and his family members alleging that Ranjeet Sharma attempted to commit illegal act with the daughter of the petitioner no.1, namely Beauty Kumari while she was studying



in her outer room. In the instant case it is alleged that on 20.12.2017 petitioner nos. 1 and 2 assaulted the grand son of the informant, namely, Ranjeet Sharma on the head causing injury to him.

Case diary has been received.

Learned APP after perusing the case diary has submitted that there is no injury report of the injured but during course of hearing of the bail petition one Xerox copy of the discharge/refer ticket of ANMMC Hospital, Gaya has been filed on behalf of the informant which shows that Ranjeet Kumar has sustained injury in his finger.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Haspura P.S. case no. 245 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 the learned S.D.J.M. Daudnagar, Dist. 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.

(Sanjay Priya, J)

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