

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11170 of 2018

Arising Out of PS.Case No. -383 Year- 2017 Thana -PUPRI District- SITAMARHI

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Abhishek Sharma @ Abhishek Kumar Sharma, Son of Amresh Chaudhary,
resident of Village- Bani Behta, Police Station- Pupari in the District of
Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate.
For the Opposite Party/s : Mr. Shailendra Kumar -1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Pupri P.S.**

Case No. 383 of 2017 instituted for the offence under Sections
341, 323, 325, 379 and 307/34 of the Indian Penal Code.

It has been submitted that both parties are agnates and
there is land dispute between them. There is case and counter case
between the parties. It has further been submitted that this
petitioner has lodged Pupri P.S. Case No. 384 of 2017 against the
informant in which the petitioner has sustained injury caused by
knife.

In the instant case there is allegation against the
petitioner that he along with his son assaulted the informant with
iron rod and axe (*Kulhari*) causing fracture injury in the hand. The



injury report of the petitioner in the counter case has been enclosed as Annexure-3. The injury report of the informant has been enclosed as Annexure-4 wherein the Doctor has found fracture injury in his right hand and wrist which was opined to be grievous in nature caused by hard and blunt substance.

In this manner, there is case and counter case between the parties and injury has been sustained by both sides. There is no injury on the vital part of the body of the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Pupri P.S. Case No. 383 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Sub Divisional Judicial Magistrate, Sitamarhi**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason



will be liable to cancel his bail bond and (3) if petitioner tampers 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 petitioner.

S.Ali/-

(Sanjay Priya, J)

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