

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23993 of 2018

Arising Out of PS. Case No.-533 Year-2017 Thana- SAUR BAZAR District- Saharsa

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1. MAHARAJEE SHARMA @ MAHARGEES SHARMA S/o Thakur Sharma
 2. Lalan Sharma S/o Bishni Sharma
 3. Manoj Sharma
 4. Dilip Sharma both are Sons of Devan Sharma All are residents of Village - Sahuriya East, P.S. Sour Bazar, District – Saharsa
- ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Md. Harun Quareshi, Adv.
For the Opposite Party : Mrs. Gulnar Begam, APP 162

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Sour Bazar P.S. Case No. 533 of 2017 for offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case as per the written report of Ramchandra Sharma, dated 15.11.2017, submitted to the Station House Officer, Sour Bazar Police Station, Saharsa, is to the effect that on 14.11.2017 at 12 O'clock the informant was sleeping in his hut in front of Kosi Project Road, in the meantime, co-accused, Ganesh Yadav and Deban Sharma entered with the arms in the hut of the informant and on the



point of pistol asked the informant to come out and, thereafter, they dragged the informant out to the hut, the other accused persons armed with lathi, danda, rod started assaulting the informant. Ganesh Yadav by pointing the pistol on temporal region tried to take him towards the side and when the informant cried accused opened fire on him which hit his leg. Thereafter, Deban Sharma resorted to fire, which hit one she goat.

Learned counsel for the petitioners submits that accusation of assault is not specific. The accusation of firing is against Ganesh Yadav, which hit the informant in his leg. The statement has been made in paragraph 3 that the petitioners have no criminal antecedent.

Considering the fact that accusation of firing is against co-accused, Ganesh Yadav and Deban Sharma, the prayer of the petitioners for grant of anticipatory bail is allowed, in the event of surrender/arrest of the petitioners, named above, before the Court below, within four weeks from today in connection with Sour Bazar P.S. Case No. 533 of 2017 shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial



Magistrate, Saharsa, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

Shamshad/-

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