

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24562 of 2018

Arising Out of PS. Case No.-494 Year-2017 Thana- SAUR BAZAR District- Saharsa

1. Anil Sharma, son of Fekan Sharma,
2. Fekan Sharma, son of late Laxman Sharma, both Resident of Village-
Bandha, P.S.- Murliganj, District- Madhepura.
3. Bidyanand Sharma, son of late Ganeshi Sharma,
4. Sachan Sharma @ Sachen Sharma, son of Radhe Sharma, petitioner no. 3
and 4 both resident of village Bandha Tola, Pastpar, P.S.- Sour Bazar, (Police
Shivir Pastpar) District- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh
For the Opposite Party/s : Mr. Smt. Reena Sinha

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Sour Bazar (Police Shivir-Pastpar) P.S. Case No. 494 of
2017 registered for the offences punishable under Sections 341,
323, 325, 307, 504, 506/34 of the Indian Penal Code.

In the F.I.R. against the petitioners there is no specific
allegation for assaulting anyone and causing injury to anyone.
Only allegation against the petitioner no. 1 is that he caused
threat also. Against other co-accused there is allegation for
committing assault and causing injury.



Submission is of false implication and that there is case and counter case both sides have received injuries and due to land dispute the occurrence has taken place. The petitioner no. 2 has no criminal antecedent and rest petitioners are on bail in the case instituted against them which has also been lodged by the informant of this case. There is no chance of tempering with prosecution evidence or of their absconding and as such they deserve sympathetic consideration.

The learned A.P.P. fairly submits that the petitioner and other co-accused have assaulted the informant and his men and caused injuries but against the petitioners there is no specific allegation.

In the facts and circumstances stated above the petitioners above named, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief judicial Magistrate, Saharsa, in connection with P.S. Case No. 494 of 2017 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

avin/-

(Jitendra Mohan Sharma, J.)



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