

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54898 of 2018

Arising Out of PS. Case No.-316 Year-2017 Thana- BIKRAMGANJ District- Rohtas

-
1. Daroga Sharma, S/o Late Sukhlal Sharma,
 2. Kaushalya Kuar, W/o Late Sukhlal Sharma. Both residents of Vill.- Baluahi, P.S.- Bikramganj, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Arun Kumar Singh, Advocate.
For the Opposite Party : Mr. Binod Kumar 3, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-11-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 324, 307 and
323/34 of the IPC.

The prosecution story, in brief, is that on 16.10.2017
at around 6.30 P.M. while informant's wife Meena Devi came to
her house from Natwar Market then petitioner no. 2 Kaushalya
Devi abused her and on protest, co-accused Bikrama Sharma,
petitioner no. 1 Daroga Sharma and co-accused Mohan Sharma
also abused his wife and petitioner no. 2 Kaushalya Devi
instigated to kill her then co-accused Bikrama Sharma gave
Sword blow on her neck for which she received bleeding injury



on her neck and fell down then other accused persons assaulted with *Lathi*. On alarm, persons gathered then his wife fled away and save her life. Thereafter, accused persons fled away given threatening, he brought his wife to hospital for treatment.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The main allegation is against co-accused, namely, Bikrama Sharma who is alleged to have assaulted the victim with *Sword*. The injury report corroborates the allegations made in the F.I.R. As far as petitioners are concerned, general and omnibus allegation has been made against them. No specific injury is attributed nor overt act is alleged against them. Petitioner no. 2 is a lady.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of



the like amount each to the satisfaction of the learned A.C.J.M.
Bikramganj, Rohtas, in connection with Bikramganj P.S. Case
No. 316 of 2017, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

U		T	
---	--	---	--

