

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64207 of 2018

Arising Out of PS. Case No.-138 Year-2018 Thana- RANIGANJ District- Araria

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1. KANHAIYA KUMAR SHARMA@ KANHAIYA SHARMA S/o Sadanand Sharma
 2. Phulchand Sharma, S/o Patwari Sharma, Both resident of Village- Baijnathpur, Ward No. 01, P.S. Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh
For the Opposite Party/s : Mr. Sri Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379 and 504 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was cutting tree near his house, the accused persons came there and started assaulting him due to which he sustained injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in the present case. There is a case and counter case between the parties. There is admitted land dispute between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned S.D.J.M., Araria in connection with Raniganj P.S. Case No. 138/18, G.R. No. 1493 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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