

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37795 of 2018

- =====
1. Ganpati Sharma @ Gani Sharma @ Goni Sharma, son of Sukhdeo Sharma,
 2. Bajrangi Sharma, son of Gaini Sharma,
 3. Shivnandan Sharma, son of Gaini Sharma,
 4. Muso Sharma @ Muso Sharam, son of Ranjit Sharma,
 5. Manoj Sharma @ Manoj Sharam, son of Ranjit Sharma,
 6. Meena Devi, w/o Ranjit Sharma,
 7. Nandni Sharma @ Nandani Devi, son of Bajrangi Sharma, All are resident of Village- Naripa, P.S.- Rajoun, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 03-07-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 379, 448, 504 and 506 of the Indian Penal Code.

The prosecution case got initiated with the written report of Suman Sharma dated 20.11.2017 submitted to the Station House Officer, Rajoun P.S. which is to the effect that on 20.11.2017 at 5.00 A.M. the informant was at his door when all the petitioners being variously armed, came and started



abusing and it was protested, then petitioner no. 2, Bajrangi Sharma assaulted with sword on the head of the informant causing bleeding injury. Thereafter, the informant's wife came to his rescue, then petitioner no. 1, Ganpati Sharma assaulted with lathi on his head causing bleeding injury, in the meantime, informant's younger brother's wife Komal Devi came to rescue, when she was also assaulted by petitioner no. 6, Meena Devi and petitioner no. 7, Nandani Sharma. It is alleged that the accused persons snatched the silver chain from the informant and threatened not to lodge the case.

It is submitted by learned counsel for the petitioners that in the background of a petty dispute the accusation has been levelled. From the impugned order it appears that no grievous injury has been caused and there is a counter version of the occurrence lodged by petitioner no. 1, Ganpati Sharma being Rajoun P.S. Case No. 598 of 2017 registered for offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

Learned APP, however, submits that the petitioners are named in the FIR.

Considering the nature of accusation and there being counter version of the occurrence, let the above named



petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing 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, Banka in connection with Rajoun P.S. Case No. 597 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let learned Court below accept the bail bonds of petitioner nos. 1 and 2 after verifying the injury report. If it is found that the injury alleged to have been caused by them is grievous in nature then this order will not be applicable to them and in that case they will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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