

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5253 of 2019

Arising Out of PS. Case No.-167 Year-2018 Thana- HULASGANJ District- Jehanabad

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1. Anil Sharma, aged 56 years (M) son of Late Ramanandan Singh.
 2. Niraj Kumar @ Neeraj Kumar @ Praful Kumar, aged about 32 years (M), son of Anil Sharma.
- Both resident of Village- Kandaul, P.S.- Hulasganj, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-01-2019 This is an application for grant of anticipatory bail in connection with Hulasganj P.S. Case No. 167 of 2018, disclosing offences under Sections 147, 148, 149, 341, 323, 342, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner no.1 is of assault to the informant by iron rod causing injury to him and petitioner no.2 is also named in the F.I.R.

Submission of learned counsel for the petitioners is that there is land dispute between the parties for which title suit is going on and they are falsely been implicated in this case.

Heard learned A.P.P. also, who opposed the prayer for anticipatory bail of the petitioners stating that the specific



allegation of assault is against petitioner no.1 and the informant has also identified them.

Having heard both sides, considering the facts and circumstances of the case, so far petitioner no.1 is concerned, I am not inclined to grant anticipatory bail to him, rather he should surrender and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court.

So far petitioner no.2 is concerned, this application is allowed. Let the petitioner no.2, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jehanabad, in connection with Hulasganj P.S. Case No. 167 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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