

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75140 of 2018

Arising Out of PS. Case No.-188 Year-2018 Thana- ALOULI District- Khagaria

Ashok Sharma, Son of Ramchandra Sharma, Resident of Village- Raun, P.S.-
Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai
For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 147, 341, 323, 504,
324 and 307 of the Indian Penal Code.

The prosecution case as per the written report of Chandan
Kumar submitted to SHO, Alauli Police Station is to the effect
that on 21.06.2018 at about 8.00 P.M., the informant was
teaching the students in his house, in the meantime, all the eight
accused person including the petitioner came variously armed
and started abusing him. On protest being made, the accused
persons assaulted him with lathi and iron rod. It is further
alleged that the petitioner, Ashok Sharma assaulted him with a
Farsa on the head of the informant causing bleeding injury.



It is submitted by learned counsel for the petitioner that in the background of previous land dispute, the accusation has been levelled against the petitioner. It is further submitted that at an earlier point of time, Alauli P.S. Case No. 186 of 2018 has been lodged by the petitioner against he informant, thereafter the present case has been lodged. The injury report of the informant suggests that there are three injuries; one is of back pain, second is of swelling on the left elbow and third is of sharp cut injury on the head and all are found to be simple in nature. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that there is a specific accusation of assault on the head of the informant, against the petitioner.

Considering the fact that the case lodged by the petitioner at earlier point of time, there is no accusation of repeating the blow and injuries are found to be simple in nature, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Khagaria** in connection with **Alauli P.S. Case No. 188 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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