

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29258 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- THAKRAHA District- West Champaran

Mantu Sharma, Son of Ramji Sharma, resident of Village - Pakahi, P.S.-
Thakaraha, District -West Champaran. Petitioner.

Versus

The State of Bihar. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate.
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered initially for the offences punishable under Section 341, 323, 307 & 504/34 of the Indian Penal Code and subsequently added with Section 302 IPC .

Petitioner along with his two brothers named in the F.I.R. are said to have slated the daughter and son of the informant and on protest made by his son-in-law, they assaulted him by means of fists. In the meantime, co-accused Jite Sharma assaulted on the head of the son-in-law of the informant by means of 'khanti'. The injured was rushed to the hospital but he succumbed to the injury during the course of treatment.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. The petitioner is



quite innocent and has been falsely implicated in this case. There is case and counter case between the parties. Petitioner does not happen to be assailant. The allegation of slating and fisting the injured by the petitioner is general and omnibus in nature. The doctor conducting the autopsy of the cadaver of the deceased has found only one injury on the head of the deceased which is attributed to Jite Sharma. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Bagaha in connection with Thakaraha P.S. Case No. 02 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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