

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37474 of 2019**

Arising Out of PS. Case No.-73 Year-2019 Thana- BARAULI District-
Gopalganj

- =====
1. PARSHU RAM SHARMA, aged 51 years, male, Son of Late Jagarnath Sharma Resident of Village - Aalapur, P.S.- Barauli, Dist.- Gopalganj.
 2. Kashi Sharma @ Kashinath Sharma, age 60 years, male, Son of Late Ram Dular Sharma. Resident of Village - Aalapur, P.S.- Barauli, Dist.- Gopalganj.
 3. Baijnath Sharma, aged 69 years, male, Son of late Ram Dular Sharma Resident of Village - Aalapur, P.S.- Barauli, Dist.- Gopalganj.
 4. Hari Ram Sharma @ Hare Ram Sharma, age 43 years, male, Son of Baijnath Sharma. Resident of Village - Aalapur, P.S.- Barauli, Dist.- Gopalganj.
 5. Bhola Sharma, aged 27 years, male, Son of Kashi Sharma @ Kashinath Sharma Resident of Village - Aalapur, P.S.- Barauli, Dist.- Gopalganj.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Md. Naushad Uzzoha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 21-06-2019

Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307, 324, 379, 504, 506/34 of the Indian Penal Code registered in connection with Brauli P.S. Case No. 73 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of past dispute between the parties. The petitioner no. 3 had filed Complaint Case vide Registration No. 1319 dated 30.05.2017 against the informant in the court of learned ACJM-XIV, Gopalganj. The accusation of assault is general



and omnibus without any specific assault attributed individually. Injuries resulting from the assault alleged against the petitioners are simple in nature. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Brauli P.S. Case No. 73 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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