

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41963 of 2019

Arising Out of PS. Case No.-203 Year-2018 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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1. DINESH SHARMA Son of Late Sukhal Sharma Resident of Village - Bahera, P.S.- Bahera, Distt - Darbhanga.
 2. Umesh Sharma Son of Late Sukhal Sharma Resident of Village - Bahera, P.S.- Bahera, Distt - Darbhanga.
 3. Ganga Sagar Sharma Son of Dinesh Sharma Resident of Village - Bahera, P.S.- Bahera, Distt - Darbhanga.
 4. Ram Sagar Sharma Son of Dinesh Sharma Resident of Village - Bahera, P.S.- Bahera, Distt - Darbhanga.
 5. Raj Kumar Sharma Son of Uttam Sharma Resident of Village - Bahera, P.S.- Bahera, Distt - Darbhanga.
 6. Shyam Sagar Sharma @ Shyam Sharma Son of Dinesh Kumar Resident of Village - Bahera, P.S.- Bahera, Distt - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Prasad Sharma, s/o.late Sinheshwar Sharma, r/o. Village, P.O. and P.S. Bahera, District Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ram Narayan Mahto
For the Informant	:	Mr. Nalin Vikram Choudhary, Mr. R.K.Mishra,Advocates
For the State	:	Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-07-2019 As prayed, learned counsel for the petitioners is permitted to implead the complainant as OP No. 2 in course of the day.

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

3. The petitioners apprehend their arrest for the offences alleged under Sections 386, 380, 452, 341, 323 IPC registered in connection with C.R. Case No. 203 of 2018.

4. It is submitted that the petitioner has been falsely implicated



in the backdrop of land dispute and the parties are family members. No injury has been caused to anyone. The accusations under the non-bailable Sections of the IPC are mere embellishment. The petitioners are accused in one prior case which has also been lodged by the complainant's side.

5. Learned counsel for the complainant appears suo motu.

6. 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 SDJM, Benipur, District Darbhanga in connection with C.R. Case No. 203 of 2018, 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 shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. 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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