

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40476 of 2019**

Arising Out of PS. Case No.-220 Year-2017 Thana- ARARIA District- Araria
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1. DILIP SHARMA, aged about 46 years, male, Son of Prithwi Chandra Sharma Resident of Village- Latora, P.S.- Araria, District- Araria.
2. Sunil Sharma @ Sunil Kr. Sharma, aged 42 years, male, S/o- Prithwi Chandra Sharma Resident of Village- Latora, P.S.- Araria, District- Araria.
3. Subodh Sharma, Aged 38 years, male, S/o - Prithwi Chandra Sharma Resident of Village- Latora, P.S.- Araria, District- Araria.
4. Prithwi Chandra Sharma, Age 65 years, male, S/o Late Nandkeshwar Sharma Resident of Village- Latora, P.S.- Araria, District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Manish Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-07-2019 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, 379, 354B, 504, 506/34 of the Indian Penal Code registered in connection with Araria P.S. Case No. 220 of 2017.

3. It is submitted that the petitioners have been falsely implicated and in any event the ingredients of the offence under Section 354 IPC are not made out whatsoever. The accusation of assault with fatha, fists and kicks is on co-accused Anil Sharma. The accusation of snatching gold ornament and cash are general and omnibus and mere embellishment. 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, Araria in connection with Araria P.S. Case No. 220 of 2017, 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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