

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69085 of 2018

Arising Out of PS. Case No.-400 Year-2018 Thana- SAHARSA District- Saharsa

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1. Kuldev Sharma and Anr Son of Late Bucho Sharma
 2. Mam Shankar Sharma Son of Kuldev Sharma All Resident of Village-Kahra Batraha Ward No.24,P.S. and Distt.-Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subesh Sharma

For the Opposite Party/s : Mr.Sri Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons were forcibly closing the shop of the nephew of the informant and was assaulted by them and the informant came in rescue, he was also assaulted.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioner has falsely been implicated in the



present case. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 400 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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