

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43512 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

1. SIYALDAH SHARMA @ ANIL KUMAR Son of Banarasi Sharma Resident of Village - Muthani, P.S.- Mohania, Dist.- Kaimur (Bhabua)
2. Sunil Sharma Son of Banarasi Sharma Resident of Village - Muthani, P.S.- Mohania, Dist.- Kaimur (Bhabua)
3. Banarasi Sharma Son of Late Sahdeo Sharma Resident of Village - Muthani, P.S.- Mohania, Dist.- Kaimur (Bhabua)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra
For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-07-2019 Petitioners seek bail in anticipation of their arrest in connection with Mohania P.S. Case No. 167 of 2019 registered for the offences punishable under Sections 341, 323, 324, 504, 506, 379 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution story as per FIR is that petitioners came variously armed and there is allegation against petitioner No.1 that he assaulted Jai Prakash Singh, nephew of the informant by sharp cutting weapon on his head and there is allegation against petitioner No.2 that he assaulted the informant by sharp cutting weapon.

Submission of learned counsel for the petitioners is that there is land dispute between the parties, which will appear from the impugned order and there is allegation of assault against petitioner



Nos. 1 and 2.

Heard learned APP also.

In view of above facts and circumstances, let petitioner No.3, in the event of arrest or surrender before the court below within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Mohania P.S. Case No. 167 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.

So far petitioner Nos. 1 and 2 are concerned, I am not inclined to grant the privilege of anticipatory bail to them. They may surrender and pray for regular bail.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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