

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59317 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- PIPRA District- Supaul

1. Anil Sharma, Son of Suresh Sharma Resident of Village- Gidarahi, P.S.- Pipra, District- Supaul.
2. Mukesh Kumar@ Mukesh Sharma, Son of Naresh Sharma Resident of Village- Gidarahi, P.S.- Pipra, District- Supaul.
3. Ramesh Kumar @ Ramesh sharma, Son of Suresh Sharma Resident of Village- Gidarahi, P.S.- Pipra, District- Supaul.
4. Ajay Kumar @ Ajay Sharma, Son of Binod Sharma Resident of Village- Gidarahi, P.S.- Pipra, District- Supaul.
5. Suresh Sharma ,Son of Late Shoman Sharma Resident of Village- Gidarahi, P.S.- Pipra, District- Supaul.
6. Aklesh Kumar @Akhilesh Sharma, Son of Naresh Sharma Resident of Village- Gidarahi, P.S.- Pipra, District- Supaul.
7. Rajesh Kumar @ Rajesh Sharma, Son of Naresh Sharma Resident of Village- Gidarahi, P.S.- Pipra, District- Supaul.
8. Naresh Sharma, Son of Late Shoman Sharma Resident of Village- Gidarahi, P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-09-2019 Learned counsel for the petitioners submits that petitioner no.4, Ajay Kumar @ Ajay Sharma, has been arrested by the police, so he seeks permission to withdraw this application with respect to petitioner no.4.

Permission is accorded.

Accordingly, this application is dismissed as



withdrawn with respect to petitioner no.4.

Heard learned counsel for the petitioner nos. 1, 2, 3, 5, 6, 7 and 8 and the learned A.P.P. for the State.

The petitioner nos. 1, 2, 3, 5, 6, 7 and 8 apprehend their arrest in connection with S.T. Excise No. 396 of 2019, arising out of Pipra P.S. Case No. 136 of 2019, registered under Sections 147, 148, 149, 341, 323, 325, 307, 354, 379, 504 and 506 of the Indian Penal Code and Section 37(c) Bihar Excise Act, 2016.

The accusation is that in the night of 05.06.2019, after taking the meal, Bindeshwar Kumar, husband of the informant, Punita Devi, was sleeping in Varandah of his house. At about 2.30 AM, she heard the sound and came near the door then saw that nine persons named in the FIR including the petitioners along with 5 to 6 unknown having lathi, rod and sword assaulted to her husband with intention to commit Dacoity and murder, in which, her husband sustained injury at his head, chest and hands. At that time, they were saying to commit murder of her husband, Bindeshwar Kumar. Thereafter, informant rushed to save her husband then on the order of Binod Sharma, Binod Sharma caused injury to her through fist and slaps and tor her cloths. At that time, Anil Sharma (petitioner



no.1) took cloths, ornaments and cash of Rs.25,000/- from the box kept in her house.

Learned counsel for the petitioner nos. 1, 2, 3, 5, 6, 7 and 8 submits that due to land dispute, occurrence took place, in which, only husband of the informant sustained eight injuries, out of which, seven injuries are simple in nature and so far as injury no. 8 is concerned, the same is found on the knee in the hand of the husband of the informant and the opinion regarding this is kept reserved.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner nos. 1, 2, 3, 5, 6, 7 and 8, I am not inclined to grant anticipatory bail to them. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioner nos. 1, 2, 3, 5, 6, 7 and 8 are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

