

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55633 of 2019

Arising Out of PS. Case No.-171 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

1. BEYASH SHARMA Son of Prem Sharma Resident of Village-Bantail, P.S.- Kuchikote, District-Gopalganj.
2. Pawan Deep Sharma Son of Prem Sharma Resident of Village-Bantail, P.S.- Kuchikote, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-09-2019 This application, for grant of anticipatory bail, arises out of Kuchaikot P.S. Case No. 171 of 2019, disclosing offences under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

Allegation against petitioner no. 1 is of assault on the head of informant by means of lathi causing injury to her and allegation against petitioner no. 2 is of assault by fists and slaps.

Submission of learned counsel for the petitioners is that petitioner have falsely been made accused in this case and the real fact is that the informant fell down from the roof and sustained injuries and no such occurrence as alleged has ever taken place.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, so



far petitioner no. 2 is concerned, in the event of his arrest or surrender before the court below within two weeks from receipt of order, he is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Gopalganj, in connection with Kuchaikot P.S. Case No. 171 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no. 1, Beyash Sharma is concerned, he is directed to surrender in the court below and on his surrender the court below shall release him on provisional bail for a period of one month, during which, period, the court below shall call for the case diary and verify the nature of injury caused to the informant due to the assault by petitioner no. 1, and considering the same, the court below will either confirm the provisional bail of the petitioner or cancel the same.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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