

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59168 of 2019

Arising Out of PS. Case No.-228 Year-2018 Thana- KAKO District- Jehanabad

1. RAM AKWAL SHARMA @ RAM IQBAL SHARMA @ RAM EKWAL SHARMA Son of Satrugan Sharma Resident of Village- Lalachak, P.S.- Kako (Bhelawar), District- Jehanabad.
2. Sushil Kumar Son of Ram Akwal Sharma @ Ram Iqbal Sharma @ Ram Ekwil Sharma Resident of Village- Lalachak, P.S.- Kako (Bhelawar), District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code registered in connection with Kako (Bhelawar) P.S. Case No. 228/2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of partition dispute and the parties are agnates. The petitioners are alleged to have assaulted Sudhir Sharma and Lalit Sharma, but there is no injury report to corroborate such accusation. Injuries to other persons of the informant's side are attributed to other co-accused persons, which are in any event simple in nature. Similarly situated co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. No. 54563 of 2019. The petitioners are accused in one prior case which was also been lodged by the informant's side.

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 Sri Umesh Prasad, learned J.M.Ist Class, Jehanabad in connection with Kako (Bhelawar) P.S. Case No. 228/2018, 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 shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate 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. 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)

Chandran/-

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

