

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62084 of 2019

Arising Out of PS. Case No.-224 Year-2019 Thana- KUDRA District- Kaimur (Bhabua)

1. BIHARI SHARMA @ SHYAM BIHARI SHARMA @ BIHARI, Son of Mukhdeo Sharma
2. Vikash Sharma Son of Late Basan Sharma
Both Resident of Village - Mujiya, P.S.- Kudra, District - Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Pandey

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-10-2019 The petitioners apprehend their arrest in connection with Kudra P. S. Case No. 224 of 2019 registered under Sections 307, 323, 341,504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is that petitioner no. 1 assaulted the brother of the informant by means of *lathi* and petitioner no. 2 along with other accused persons assaulted him by means of rod.

Learned counsel appearing on behalf of the petitioners submits that both parties are agnate and there is a dispute with regard to passage between them. Learned counsel referring to Annexure-2 submits that injury caused to the brother of the informant has been found to be simple in nature. He further



submits that the occurrence had allegedly taken place on 10.07.2019 but the FIR has been lodged after delay of two days on 12.07.2019 and injury report has been prepared on 13.07.2019..

Having regard to the submissions made by the parties and taking into consideration the fact that both parties are agnate and there appears to be a dispute due to passage between them and the injury caused to the brother of the informant is found to be simple in nature, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Bhabua, Kaimur in connection with Kudra P.S.Case No. 224 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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