

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62364 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- BHARGAMA District- Araria

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1. RAJESH SHARMA Son of Late Raghuni Sharma Resident of Village - Sukela, P.S.- Bhargama, District- Araria
 2. Pradeep Sharma Son of Laxman Sharma Resident of Village - Sukela, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-10-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 16.6.2019 in a case registered for the offences punishable under Sections 341,323,324,307,436,354,504,506 and 379 of the I.P.C.

The prosecution case is to the effect that on 7.3.2019 at 6.00 A.M. the brother of the informant, namely, Durganand Sharma objected the petitioners and other accused persons who were damaging the house of the informant, whereupon the accused persons started assaulting him with Farsa, Dabiya and lathi. When the informant with his son, wife and brother's wife came to rescue, they were also assaulted. The brother of the informant received grievous injury. It is also alleged that the accused persons put the house of the informant on fire and



committed theft of household articles.

It is submitted by learned counsel for the petitioners that the accusation of assault is general and omnibus and the injury has been found to be simple in nature. It is further submitted that there is counter version of occurrence being Bhargama P.S. Case No. 51 of 2019. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the accusation of assault has also been levelled against the petitioners.

Considering the accusation being omnibus and general, there being counter version of the occurrence, statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent and the period in custody, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Bhargama P.S. Case No.50 of 2019.

(Dinesh Kumar Singh, J)

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