

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72251 of 2018

Arising Out of PS. Case No.-302 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

Sanjay Sharma @ Sanjay Kumar, Son of Late Lalanarayan Sharma @ Late Laljee Sharma, Resident of Village- Kanauli, P.S.- Makdampur, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma

For the Opposite Party/s : Mr.Sri Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 11-01-2019 The petitioner seeks bail in anticipation of his arrest in connection with Makhdumpur P.S. Case No. 302 of 2018 dated 22.08.2018 instituted for the offences under Sections 341, 323, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is alleged to have fired from his pistol leading to injuries on the palm of the nephew of the informant who, at the relevant time, while distributing *Prasad* of a *Puja* had come near the house of the petitioner.

Mr. Ramakant Sharma, learned senior counsel for the petitioner has informed this Court that for about ten days, the Court below was not provided with the injury



report of the nephew of the informant. Later, an injury report was filed which forms part of the case diary as well indicating that for the injuries suffered by the nephew of the informant, he had to undergo first-aid. The normal presumption for such statement would be that the injuries are simple in nature, though till date, no opinion has been given with respect to the cause of the injury or the nature of such injuries. Additionally, it has been submitted on behalf of the petitioner that he has been falsely implicated in this case because in the past, he used to object to the philanderous way of the nephew of the informant. The evidence has also come in the investigation papers that the niece of the petitioner was always teased by the informant.

Considering the aforesaid facts, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with



Makhdumpur P.S. Case No. 302 of 2018, subject to the
conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Shageer/-

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

