

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76220 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- GHANSHYAMPUR District- Darbhanga

1. Sitaram Thakur @ Sitaram Sharma, S/o Late Sukhdev Sharma @ Sukdev Sharma,
2. Saroj Thakur @ Saroj Sharma S/o Hareram Sharma,
3. Lilat Sharma @ Lalit Sharma, S/o Sitaram Sharma,
4. Heram Sharma @ Hareram Sharma, S/o Late Shukhdev Sharma.
5. Siyaram Sharma, S/o Late Sukhdev Sharma,
6. Binod Sharma, S/o Sitaram Sharma.
7. Sikinder Sharma, S/o Hareram Sharma.

All are residents of Village- Parary, Police Station- Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Prasad
For the State	:	Mr. Yogendra Kumar
For the Informant	:	Mr. Girish Chandra Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 09-01-2019 Heard learned Counsel for the petitioner nos. 1-3 and 5-7 and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Ghanshyampur Police Station Case No. 66 of 2018, disclosing offences under Sections 147, 148, 49, 341, 323, 324, 307, 354B, 379 and 504 of the Indian Penal Code.

By Order dated 18.12.2018, the application on behalf of the petitioner no. 4, Heram Sharma @ Hareram Sharma, has been dismissed as having become infructuous.



This is apparent from the First Information Report that allegation against petitioner nos. 5, 6 and 7 are general and omnibus. This is also evident from the First Information Report that some property dispute between the parties is the reason behind registration of the present First Information Report and a counter case. Both sides are said to have received injuries. So far as petitioner no. 2 is concerned, there is allegation of assaulting one Krishna Mohan Sharma with fists. As against petitioner no. 1, he is said to have given farsa blow on the head of Baijnath Sharma. The Petitioner No. 3 is said to have taken away a wooden box from the house of the informant.

The prayer for anticipatory bail has been vehemently opposed by learned counsel appearing on behalf of the informant.

However, considering the genesis of occurrence and nature of accusation, this application is allowed.

Let the petitioner nos. 1, 2, 3, 5, 6 and 7, namely, Sitaram Thakur @ Sitaram Sharma, Saroj Thakur @ Saroj Sharma, Lilat Sharma @ Lalit Sharma, Siyaram Sharma, Binod Sharma and Sikinder Sharma, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Biraul, Darbhanga, in connection with Ghanshampur Police Station Case No. 66 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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