

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65152 of 2019

Arising Out of PS. Case No.-176 Year-2019 Thana- UCHKAGAON District- Gopalganj

1. Lal Bachan Sharma, Son of Ram Kuwar Sharma Resident of Village-Ujara Narayanpur, Police Station-Uchakagaon, District-Gopalganj.
2. Uday Pratap Sharma @ Uday Pratap, Son of Ram Kuwar Sharma Resident of Village-Ujara Narayanpur, Police Station-Uchakagaon, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Uchakagaon P.S. Case No.176 of 2019, for the offence punishable under Sections 341, 323, 324, 308, 379, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners is that petitioners along with other accused persons assaulted the informant and his son with lathi and Bhujali.

Learned counsel for the petitioners submits that both the parties are co-sharers and there is dispute between the parties relating to partition of residential house. Learned counsel further submits that allegation against the petitioners is of assault to the



informant and his son by means of lathi but from perusal of the injury report at Annexure-2 and 2/1, it would be evident that the injuries caused to the informant and his son have been found to be simple in nature.

Having regard to the submissions made by the parties and taking into consideration the fact that both the parties are co-sharers and there appears to be dispute of partition between them and injury caused to the informant and his son have been found to be simple in nature, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, both the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Gopalganj, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

