

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57702 of 2018

Arising Out of PS. Case No.-482 Year-2018 Thana- KHAGARIA District- Khagaria

1. Sunil Sharma @ Guddu Sharma,
2. Rajesh Sharma,
3. Sanjay Sharma, All Son of Awadh Lal Sharma, All resident of Village- Dan Tola, P.S. + District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 04-01-2019 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,504,308 and 379/34 of the IPC.

The prosecution case as per the Fardbeyan of Ganesh Sharma recorded by ASI Chandrashekhar Singh, Chitragupta Nagar Police Station at Sadar Hospital, Khagaria is to the effect that the informant was getting the construction work done at Holy Ganges School, Khagaria. On 4.7.2018 petitioner no. 3 Sanjay Sharma asked the informant to take his share of money and deliver the informant's share of money at his house and on refusal of the same, petitioner no. 3 directed his brother to assault the informant and



consequently, the petitioner nos. 1 and 2 assaulted the informant with iron rod and petitioner nos.1 and 2 snatched gold chain worth Rupees Fourteen Thousand and Rupees Five Hundred cash, respectively, from the informant.

It is submitted by learned counsel for the petitioners that admittedly petitioner no. 3 was in Delhi and the accusation of assault is omnibus and general against petitioner nos. 1 and 2 for a dispute with regard to share distribution of contractual amount. It is further submitted that for the occurrence of 4.7.2018 the FIR was lodged on 14.7.2018, though the Fardbeyan was recorded on 6.7.2018 and the injury appears to be manufactured.

Learned APP submits that opinion with regard to injury has been kept reserved.

Considering the genesis of the occurrence and statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks 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, Khagaria in connection with Khagaria



P.S. Case No. 482 of 2018 subject to the conditions laid
down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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