

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62737 of 2018

Arising Out of PS. Case No.-122 Year-2018 Thana- JALALPUR District- Saran

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1. Chandrika Sharma, son of Krishna Sharma.
 2. Bikarma Sharma, son of Krishna Sharma.
 3. Mantu Sharma @ Bolbam, son of Krishna Sharma.
 4. Bikesh Sharma, son of Chandrika Sharma.
 5. Pooja Devi, wife of Mantu Sharma @ Bolbam. All Resident of Village- Belkunda, Police Station- Jalalpur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 09-01-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341/323/324/427/337/379/504/506/34 of the Indian Penal Code. Subsequently, offence under Section 302 of the Indian Penal Code was added.

For land dispute, there is general and omnibus allegation against the petitioners of commission of assault to the informant as a result whereof the informant died



subsequently. The doctor, who examined the informant first, has noted complain of pain in the abdomen and scrota. The doctor who performed post mortem examination was of the view that death was due to hematoma and obsession caused by hard and blunt substance.

Submission is that the allegation is not specific against anyone as to who had caused the fatal injury. Moreover, ingredient of intention or knowledge to commit death is not apparent.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Jalalpur Police Station Case No.122 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case,



failing which the court below shall be at liberty to cancel the
bail bond of the petitioners.

(Birendra Kumar, J)

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