

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1810 of 2020

Arising Out of PS. Case No.-223 Year-2019 Thana- CHAUSA District- Madhepura

1. Gopal Sharma S/o Late Ramsebak Sharma R/o village- Kalasan, Thuthi Basa, Ward No.- 01, P.S.- Chousa, District- Madhepura
2. Budhan Sharma S/o Rajendra Sharma R/o village- Kalasan, Thuthi Basa, Ward No.- 01, P.S.- Chousa, District- Madhepura
3. Sudhir Sharma @ Sudhir Kr. Sharma S/o Yogendra Sharma R/o village- Kalasan, Thuthi Basa, Ward No.- 01, P.S.- Chousa, District- Madhepura
4. Sanjeev Sharma @ Sanjeev Kumar S/o Yogendra Sharma R/o village- Kalasan, Thuthi Basa, Ward No.- 01, P.S.- Chousa, District- Madhepura
5. Manjula Devi W/o Gopal Sharma R/o village- Kalasan, Thuthi Basa, Ward No.- 01, P.S.- Chousa, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Chousa P.S. Case No.223 of 2019
registered for offence punishable under sections 341, 323, 354,
307, 379, 427, 504 and 506/34 of the Indian Penal Code.

It has been alleged that the petitioners and others on
account of land dispute assaulted the informant side by
different method. Allegation has been made against the



petitioner no. 1 that he was holding three nut country made pistol and put the same on the chest of the victim whereas allegation has been made against petitioner no. 3 to have torn the blouse and against petitioner no.4, allegation has been made to have caught sari. There is no specific allegation against petitioner no. 2, Budhan Sharma.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner nos. 2 to 5 is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Sub-Divisional Magistrate, Uda-Kishungaj, Madhepura or Successor Court in connection with Chousa P.S. Case No.223 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.



So far petitioner no. 1 is concerned, his prayer for bail is rejected. However, he surrenders before the court below and prays for regular bail, the court below preferably on the same day will take decision in accordance with law.

(Shivaji Pandey, J)

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