

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14763 of 2020

Arising Out of PS. Case No.-115 Year-2019 Thana- PASRAHA District- Khagaria

1. Rahul Sharma, aged about 22 years, Male, Son of Sikandar Sharma
2. Ajay Sharma @ Ajay Kumar, aged about 35 years, Male, Son of Late Upendra Sharma
3. Kare Sharma @ Rambilash Sharma, aged about 47 years, Male, Son of Late Ramkishun Sharma
4. Nandlal Sharma, aged about 50 years, Male, Son of Late Kartik Sharma
5. Sikandar Sharma, aged about 52 years, Male, Son of Late Ram Kishun Sharma
6. Raj Kumar Sharma, aged about 30 years, Male, Son of Late Fulo Sharma, all resident of Village - Deotha, P.S.- Pasraha, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-09-2020 Heard the parties through the virtual court proceeding.

The petitioners apprehend their arrest in connection with Pasraha P.S. Case No. 115 of 2019, G.R. No.2613 of 2019 registered for the offences punishable under Sections 147, 149, 341, 323, 325, 307, 452 of the Indian Penal Code.

The prosecution story in short, as alleged in the fardbeyan of informant alleging therein that on 28.08.2019 at about 2.30 p.m., the informant along with his brother ploughing his land with tractor, meanwhile from the village 15 persons



came variously armed and assaulted on his head by iron rod resulting head injury upon which his brother came to rescue him he was also assaulted by them and he become injured. Informant's right thigh was also injured by them by all F.I.R. named person, reason for occurrence is land dispute.

Learned counsel for the petitioners submits that the petitioners are innocent have committed no offence as alleged in the F.I.R. falsely been implicated in the instance case due to land dispute and village politics. He further submits that from the injury report, it is evident that injury on the head of the informant found simple in nature and injury no.2 opined grievous so far injury of Sunil Sharma opinion was kept reserved.

I have perused the case diary and on the injury report, the injuries are grievous in nature and other witnesses have also supported the prosecution case.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioners in connection with Pasraha P.S. Case No.115 of 2019, G.R. No.2613 of 2019 pending in the



court of Sri Deepak Kumar, learned Judicial Magistrate-Ist Class, Khagaria is hereby rejected. However, the petitioners are directed to surrender before the court below and the learned court below shall dispose of the bail application of the petitioners on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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