

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17981 of 2020

Arising Out of PS. Case No.-417 Year-2019 Thana- PATORI District- Samastipur

1. ANMOL KUMAR SHARMA @ ANMOL SHARMA Son of Om Prakash Sharma Resident of Village- Hasanpur Surat, Ward No. 7, P.O. and P.S.- Patori, District- Samastipur.
2. Abhishek Kumar Sharma @ Abhishek Sharma @ Abhishek Kumar Son of Om Prakash Sharma Resident of Village- Hasanpur Surat, Ward No. 7, P.O. and P.S.- Patori, District- Samastipur.
3. Ankit Kumar @ Ankit Sharma Son of Om Prakash Sharma Resident of Village- Hasanpur Surat, Ward No. 7, P.O. and P.S.- Patori, District- Samastipur.
4. Nidhi Kumari @ Nidhi Sharma Daughter of Om Prakash Sharma Resident of Village- Hasanpur Surat, Ward No. 7, P.O. and P.S.- Patori, District- Samastipur.
5. Renu Devi Wife of Om Prakash Sharma Resident of Village- Hasanpur Surat, Ward No. 7, P.O. and P.S.- Patori, District- Samastipur.
6. Baidaynath Sharma @ Baiju Sharma Son of Late Shri Krishna Sharma Resident of Village- Hasanpur Surat, Ward No. 7, P.O. and P.S.- Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjai Kumar Singh
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.



The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 325, 447, 302, 504 and 506/34 of the Indian Penal Code.

The prosecution case, in short, is that on the pretext of fencing a plot, the accused persons brutally assaulted father-in-law of the informant due to which he sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation of assault has been made against the petitioners. From the post-mortem report, it is evident that there is no external or internal injury on the body of the deceased. The cause of death is said to be cardiac arrest. Hence, no offence under Section 302 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory



bail on their personal bonds to the satisfaction of learned I/C
A.C.J.M. -IV, Samastipur in connection with Patori P.S. Case
No. 417/2019, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall
furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with
two sureties of the like amount each within a period of seven
weeks to the satisfaction of the Court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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