

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16079 of 2020

Arising Out of PS. Case No.-242 Year-2019 Thana- KATEYA District- Gopalganj

1. Aditya Sharma @ Bikau Son of Ram Naresh Sharma @ Ramnaresh Sharma Resident of Village - Shital Chauraha, P.S.- Kateya, District- Gopalganj
2. Uma Shankar Sharma Son of Late Vishwanath Sharma Resident of Village - Shital Chauraha, P.S.- Kateya, District- Gopalganj

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Sanjay Kumar Pandey No.5, Advocate

For the Opposite Party : Mr.Chandra Bhushan Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-09-2020

Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420/307 and other allied sections of the Indian Penal Code.

Prosecution's case in short is that co-accused Ram Naresh Sharma took Rs.1 lac from the informant on the pretext of providing job to her son but when he did not succeed, informant and her family member demanded the money on which accused persons assaulted her. Petitioner no.1 tore the blouse of the informant, whereas petitioner no.2 started pressing the neck of sons of the informant.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case as they are neighbourers of the informant. Petitioners are son and brother of said Ram Naresh Sharma respectively. Allegation against petitioner no.1 is exaggeration. He further submits that simply marpit took place in which no one sustained injury. There is no injury report on the record even to substantiate the allegation, as such, offence under section 307 IPC is not attracted against the petitioners. Complaint case giving rise to



the instant case had been filed on 14.12.2018 for the offence committed on 26.7.2017. Petitioners have got no criminal antecedent.

Considering the facts of the case, let the petitioners named above, in the event of surrender before the Court below within six weeks from the date of receipt of this order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate XV, Gopalganj in Kateya Police Station Case No. 242/2019,GR No.2168/2019, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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