

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21348 of 2020

Manjeet Sharma, Son of Late Narayan Sharma, resident of Kajra, P.S.-
 Mirganj, Distt.- Purnea

... .. Petitioner

Versus

The State of Bihar

.. ... Opposite Party

Appearance :

For the Petitioner : Mr. Md. Fazle Karim, Advocate

For the Respondent State: Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-07-2020 Heard Mr. Md. Fazle Karim, learned counsel
 appearing on behalf of the petitioner and Mr. Arun Kumar
 Pandey, learned Additional Public Prosecutor, for the State of
 Bihar.

This application for grant of anticipatory bail arises
 out of Mirganj P.S. Case No. 36 of 2019 registered for the
 offence punishable under Section 341, 323, 504 and 307 of the
 Indian Penal Code.

Admittedly, the petitioner is grandson of the victim.
 The occurrence, as alleged in the First Information Report, had
 taken place on 17.03.2019, in respect of which the First
 Information Report came to be registered on 19.03.2019. The
 informant has described herself to be the wife of the victim.

Learned counsel appearing on behalf of the petitioner
 has, however, submitted that the informant is not the



grandmother of the petitioner, rather she is sister of his grandmother. It has been argued that after the death of the petitioner's father, property dispute arose in the family and for the said reason, the petitioner has been implicated in a false case.

There is allegation in the First Information Report that because of the injury, which the victim sustained, he developed paralytic stroke. Learned counsel for the petitioner has argued that, as a matter of fact, the grandfather of the petitioner was suffering from paralysis from before. It has also been argued that mother of the petitioner has also filed a complaint case in which the informant of this case is an accused.

Considering the background in which the occurrence is said to have taken place and the fact that there is no allegation of repeat of the blow, in my opinion, case for grant of anticipatory bail is made out.

This application is accordingly allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Purnea, in Mirganj P.S. Case No. 36 of 2019, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

It is indicated that defect, if any, shall be removed within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate



electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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