

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27242 of 2020

Arising Out of PS. Case No.-340 Year-2019 Thana- BAKHTIARPUR District- Saharsa

1. KAMLESHWARI SHARMA S/o Late Ramkishun Sharma Resident of Village-Tilathi, P.S.-Bakhtyarpur, District-Saharsa.
2. Umesh Sharma S/o Late Janak Sharma Resident of Village-Tilathi, P.S.-Bakhtyarpur, District-Saharsa.
3. Janar Sharma S/o Late Tarni Sharma Resident of Village-Chikni, P.S.-Sour Bazar, District-Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Additional Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-11-2020 Heard learned counsel for the petitioners and the State through Video Conferencing.

Petitioners apprehend arrest in a case registered for the offence punishable under Sections 341, 427, 307, 504/34 of the Indian Penal Code and under Section 27 of the Arms Act.

As per the prosecution case, on 30.08.2019 at about 5 P.M. all the F.I.R. named accused persons including these petitioners started demolishing the house of the informant and when the father of the informant objected, co-accused Dinesh Sharma is alleged to have fired upon the informant's father from his pistol which hit the thigh. Then all the accused persons fled



away.

It is submitted on behalf of the petitioners that there is general and omnibus allegation against the petitioners and the specific allegation of causing fire arm injury is against co-accused, Dinesh Sharma, who has already been granted Regular Bail vide order dated 05.06.2020 passed in Cr. Misc. No. 6079 of 2020 by this Hon'ble Court. It is further submitted that, admittedly, there is land dispute between the parties. It is stated by learned counsel for the petitioners in paragraph 3 of the bail petition that petitioners have got no criminal antecedent.

In the facts and circumstances of the case, prayer for bail of the petitioners is allowed. In the event of arrest/surrender, let the petitioners mentioned above be enlarged 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 learned Chief Judicial Magistrate, Saharsa in connection with Bakhtiyarpur Police Station Case No. 340 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Ankit/-

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