

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27852 of 2020

Arising Out of PS. Case No.-278 Year-2019 Thana- CHHATAPUR District- Supaul

1. Bharti Devi, aged about 44 years, Female, W/o Ganesh Kumar Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
2. Sunil Kumar @ Sunil Sharma, aged about 41 years, Male S/o Punitlal Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
3. Sanjay Sharma @ Sanjay Kumar Sharma, aged about 37 years, Male, S/o Punitlal Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
4. Chandan Sharma, aged about 26 years, Male, S/o Punitlal Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
5. Roushan Kumar Sharma @ Roushan Sharma, aged about 41 years, Male, S/o Mishrilal Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
6. Ajay Sharma, aged about 37 years, Male, S/o Mishrilal Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
7. Raman Sharma @ Raman Kumar, aged about 30 years, Male, S/o Mishrilal Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
8. Asha Devi, aged about 37 years, Female, W/o Roushan Kumar Sharma @ Roushan Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
9. Indu Devi, aged about 31 years, Female, W/o Ajay Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
10. Puja Devi, aged about 21 years, Female, W/o Raman Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
11. Kiran Devi, aged about 35 years, Female, W/o Sunil Kumar @ Sunil Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
12. Kanchan Devi, aged about 28 years, Female, W/o Sanjay Sharma, Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.
13. Kajal Devi, aged about 23 years, Female, W/o Chandan Sharma Resident of Village-Charne, Police Station-Chhatapur, District-Supaul.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Arun, Advocate.
For the Opposite Party	:	Mr. Anil Kumar, A.P.P.



CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2020 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.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

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

The petitioners are apprehending their arrest in a case for the offence registered under Section 341, 323,324, 307, 504, 354 and 506/34 of the I.P.C.

The prosecution story, in brief, is that on 26.10.2019 at about 9.30 hours, the informant saw that after cleaning her land fixing *Khuta* and when she intervened the petitioners alongwith others who were sitting there since before with various weapons including fire arms. She further alleged that they started beating her and on alarm, her husband came in her rescue the co-accused Ganesh Sharma put fire-arm and co-accused Punit Lal Sharma assaulted with *Dabia* and son of Punit Lal Sharma assaulted with *Iron rod* and co-accused Ganesh



Sharma gave *Farsa* blow upon Rajendra Sharma, co-accused Mishri Lal Sharma came armed with *Bhala* and assaulted Vijay Sharma. She further alleged that the motive behind the alleged occurrence is land dispute.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. No specific injury is attributed against the petitioners. The allegation is against Punit Lal Sharma.

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

Considering the aforesaid facts and circumstances of the case, the petitioners above named, in the event of arrest or surrender before the learned court below within a period of Twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Supaul, in connection



with Chhatapur (Rajeshwari O.P.) P.S. Case No. 278/2019,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

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