

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31596 of 2020

Arising Out of PS. Case No.-281 Year-2019 Thana- CHOUTARWA District- West
Champaran

=====

PRAHALAD SHARMA Son of Sri Chanchal Sharma @ Ramchandra Sharma
Resident of Village- Siktaur, P.S.- Chautarwa, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Nand Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 03-12-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Chautarwa P.S. Case No. 281 of 2019, disclosing offence punishable under Section 307 and other allied Sections of the Indian Penal Code.

It appears from the FIR that petitioner's and other members of his family have been implicated with the allegation that all of them entered into the informant's house and while trying to break open the lock of *Almirah* belonging to the informant's son, he and other persons of the informant's family woke up. There is allegation against the petitioner of having assaulted the informant with *farsa*. There is allegation of assault on other members of the family of the informant also.



It has been submitted on behalf of the petitioner with reference to the statement made in the application seeking regular bail that, as a matter of fact, on 31.03.2019 the petitioner's daughter had met with an accident with a *Bolero* vehicle belonging to the informant which had hit an electric pole also. Some other children present nearby the place of accident had also received injuries, which had led to convening of a *Panchayat* for resolution of dispute, wherein it was decided that the informant would be giving some compensation to the victim's father and would bear the expense to be incurred to the treatment of the injured. The informant failed to keep his promise and he has unnecessarily implicated all the members of the petitioner's family with false accusation. Much before lodging of the present FIR, the petitioner's wife had got registered FIR against the informant and others on 14.10.2019 as Bagaha SC/ST P.S. Case No. 20 of 2019 and that the present case has been registered in retaliation with oblique motive.

On careful perusal of the two FIRs, I find some substance in submission made on behalf of the petitioner. This application is accordingly allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two



sureties of the like amount, each to the satisfaction of learned
Additional Chief Judicial Magistrate,-I, Bagaha, West
Champaran in Chautarwa P.S. Case No. 281 of 2019.

It is directed that defects in the application pointed out
by the Registry must be removed within two months from today.

(Chakradhari Sharan Singh, J)

Rajesh/-

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