

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 74658 of 2019

Arising Out of PS. Case No.-182 Year-2019 Thana- DHAMDAHA District- Purnia

1. Chandra Kishor Sharma aged about 65 years (male)
2. Kamleshwari Sharma aged about 68 years (male)
Both sons of late Baidya Nath Sharma
3. Rajendra Sharma aged about 30 years (male)
4. Ranjit Sharma @ Magharia Sharma aged about 25 years (male) both 3 and 4
sons of Kamleshwari Sharma
All R/o village- Madrouni Tola, P.S.- Dhamdaha, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-02-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Dhamdaha P.S. Case No. 182 of 2019 registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

In the F.I.R., the informant has alleged that on 11-06-2019 at about 3:30 AM, her husband had gone to see his field and in the way, due to land dispute, all the FIR named accused persons, which includes petitioners, surrounded him and son of petitioner no. 1 namely Guddu Sharma, on the order of petitioner no. 1, gave fire-arm injury on right leg of her husband.



It is submitted on behalf of petitioners that petitioners have falsely been implicated in this case. No overt act is alleged against any of the petitioners. Specific allegation has been made against son of petitioner no. 1. Petitioner no. 1 is said to be order giver. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Dhamdaha P.S. Case No. 182 of 2019 on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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