

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77019 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- RANIGANJ District- Araria

1. Tarachand Sharma Son of Gonar Sharma Resident of Village- Thekpura, Ward No. 11, P.S.- Raniganj, District- Araria.
2. Sulochana Devi @ Jitani Devi Wife of Tarachand Sharma Resident of Village- Thekpura, Ward No. 11, P.S.- Raniganj, District- Araria.
3. Pramod Sharma Son of Tarachand Sharma Resident of Village- Thekpura, Ward No. 11, P.S.- Raniganj, District- Araria.
4. Subodh Sharma Son of Tarachand Sharma Resident of Village- Thekpura, Ward No. 11, P.S.- Raniganj, District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Gopal Kumar Jha, Advocate
For the Opposite Party : Ms.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 22-06-2020 Heard learned counsel for the petitioner nos. 2 to 4 and learned Additional Public Prosecutor for the State via video conferencing.

The petitioners seek pre-arrest bail in connection with Raniganj P.S. Case No. 94 of 2019 registered under Sections 341, 323, 324, 307, 354-B, 379, 427, 504 and 506 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that the instant case has been instituted in retaliation to Raniganj P. S. Case No.93 of 2019 dated 06.03.2019



registered *inter alia* under Sections 354-B and 379 of the Indian Penal Code on the basis of the written report submitted by petitioner no. 2 Sulochana Devi against the informant and her family members. It is further contended that two injured on the side of the informant have sustained only simple and superficial injury and the offence under Section 307 of the Indian Penal Code would not be attracted. It is also contended that the ingredients of the offence punishable under Section 354-B of the Indian Penal Code are not attracted in the present case.

Learned Additional Public Prosecutor for the State has opposed the prayer for grant of pre-arrest bail to the petitioner nos 2 to 4.

Considering the fact that there is case and counter-case and the injuries on the person of Balo Kumar and Anita Devi were found simple by the doctor, who examined them, the petitioners nos 2 to 4, namely, Sulochana Devi @ Jitani Devi, Pramod Sharma and Subodh Sharma, are directed to be released on bail, in the event of arrest or surrender before the court below, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Araria in Raniganj P.S. Case No. 94 of 2019 (G.R. No.777/2019), subject to the conditions as laid



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

As far as petitioner no. 1, namely, Tarachand Sharma is concerned, his application for grant of pre-arrest bail was already rejected as withdrawn vide order dated 06.02.2020.

(Ashwani Kumar Singh, J.)

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