

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18153 of 2021**

Arising Out of PS. Case No.-109 Year-2019 Thana- GHOSI District- Jehanabad

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1. Mani Bhushan Sharma, Male, aged about 49 years, S/O Bindeshwari Sharma, R/O Village- Haridaspur, P.S.- Ghoshi, District- Jehanabad.
  2. Shubham Kumar, Male, aged about 19 years, Son Of Late Shailendra Sharma, R/O Village- Haridaspur, P.S.- Ghoshi, District- Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioners : Mr. Santosh Kumar, Advocate.  
For the Opposite Party : Mr. A.G

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      06-07-2021                      Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 341, 323, 307 and 427/34 of the I.P.C.



The prosecution story, in brief, is that on 21.03.2019 at about 4.30 P.M., Disc. Jockey (D.J.) was being played in a high volume by the petitioners besides co-accused persons and some unidentified persons were under influence of liquor and when the same was protested by the informant and her son, it is alleged that the petitioners besides co-accused concertedly assaulted by means of Lathi on the head of the informant's son Saurav Kumar, as a result of which, the victim sustained head injury. It is further alleged that co-accused Ankit Kumar made scuffle with the informant by pushing her and Shubham Kumar (petitioner no. 2) assaulted on the head of the informant's son Shivam Kumar and he also assaulted by means o brick on the leg of the informant's mother-in-law and her car was being attacked by them. It is further alleged that when the informant tried to visit police station, co-accused Indramani Devi, Sunita Devi and Rahul Kumar attacked upon him and her vehicle. It is further alleged that pane of the car was being damaged and they also assaulted the informant and her family members and tried to kill. It is further alleged that Mani Bhushan Sharma (petitioner no. 1), his son and nephew were armed with Danda, Lathi and Sticks.

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. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the side of the accused persons has not been explained by the prosecution. The prosecution has not come with the clean hands. There is admitted land dispute between the parties.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let 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 their personal bond to the satisfaction of the learned C.J.M. Jehanabad, in connection with Ghoshi P.S. Case No. 109/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each with two sureties of the like amount each within a period



of eight weeks to the satisfaction of the court concerned in  
connection with the aforesaid case.

**(Sudhir Singh, J)**

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