

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9914 of 2020

Arising Out of PS. Case No.-315 Year-2019 Thana- BARHARIA District- Siwan

1. PRATIMA DEVI Wife of Vijay Sharma Resident of Village- Aurai, P.S.- Barharia, District- Siwan.
2. Vijay Sharma Son of Tuntun Sharma Resident of Village- Aurai, P.S.- Barharia, District- Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 379, 324, 307, 504, 506 and 34 of the Indian Penal Code in which section 302 was added later on.

The prosecution allegation, in short, is that the son of informant was assaulted by the accused persons due to which he sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in the present case. Earlier, the case was instituted for offence under section 307 IPC. Later on, section 302 IPC was added. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Specific allegation of assault is alleged against Devendra Sharma who is said to have assaulted the deceased.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Barharia P.S. Case No. 315/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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