

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19676 of 2020

Arising Out of PS. Case No.-450 Year-2019 Thana- GHOSI District- Jehanabad

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1. GUDDU SHARMA, aged about 34 years, Male, son of Ram Pravesh Sharma.
 2. Biru Sharma @ Birendra Sharma, aged about 32 years, Male, son of Sarju Singh.
Both resident of Village- Mahmadpur, P.S.- Ghoshi, District- Jehanabad.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar No.1, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 08-01-2021 Heard learned counsel for the petitioners and

learned APP for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Ghoshi P.S. Case No.450 of 2019, registered for the offence under Sections 279, 428, 323, 341, 324, 379, 307, 504 and 506/34 of the Indian Penal Code.

It has been alleged that the she-calf of the informant was dashed by the tractor of Guddu Sharma (petitioner no.1), on that account dispute arose. Allegation has been made that petitioner no.1 came with rifle and petitioner no.2 came with sword and on the order of petitioner no.1, the petitioner no.2 inflicted sword blow on the wife of the informant, as a result of which, she sustained injury.



Considering the fact that no overt act has been attributed to the petitioner no.1, let the petitioner no.1 namely, Guddu Sharma, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-1, Jehanabad, in connection with Ghoshi P.S. Case no.450 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the bail of petitioner no.2 namely, Biru Sharma @ Birendra Sharma is concerned, the same is rejected as there is specific allegation against him to have caused injury by sword. However, if the petitioner no.2 surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

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