

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25008 of 2021

Arising Out of PS. Case No.-195 Year-2018 Thana- SAKURABAD District- Jehanabad

1. SANJAY SHARMA Son of Late Ramji Sharma Resident of Village - Pokhwan, Police station - Shakurabad, District - Jehanabad.
2. AJAY SHARMA Son of Late Ramji Sharma Resident of Village - Pokhwan, Police station - Shakurabad, District - Jehanabad.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 354 & 504/34 of the Indian Penal Code.

While the informant was going to her 'Dalan' by taking meal, where her father-in-law, husband and son were



working and while she reached at her Dalan, she noticed that the petitioners besides co-accused persons armed with deadly weapons were quarreling and scuffling with her father-in-law, husband and son. It is also alleged that when she went to intervene, in that course, co-accused Navleen Sharma assaulted with iron rod on the head of the informant with intent to kill as a result of which the victim sustained bleeding head injury and she fell down on the ground. It is further alleged that the petitioners assaulted with fists and slaps and tore her blouse.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. As a matter of fact, both the parties belong to same family. Due to partition in the property dispute was going on for that both sides scuffled to each other and lodged three cases against each other. There is case and counter case between the parties due to land dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Similarly situated co-accused, namely, Mukul Kumar and another have been enlarged on anticipatory bail vide order dated 27.09.2021 passed in Cr. Misc. No.22339 of 2021 by a coordinate Bench of this Court.



Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Shakurabad P.S. Case No.195 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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