

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34404 of 2020

Arising Out of PS. Case No.-211 Year-2019 Thana- GOPALPUR District- Bhagalpur

1. Jai Prakash Sharma S/o Prabhu Narayan Sharma Resident of Village-Azmabad, P.S.-Gopalpur, District-Bhagalpur.
2. Bugga Sharma @ Pinku Sharma S/o Jai Prakash Sharma Resident of Village-Azmabad, P.S.-Gopalpur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 26-10-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 427, 341, 323, 307, 379 of the Indian Penal Code.



It is alleged in the F.I.R that the motorcycle and car which were parked in front of the house of the informant were damaged and when the informant raised protest, it is alleged that all the F.I.R named accused persons including the petitioners variously armed with weapons started assaulting the informant. It is alleged against petitioner No. 1 that he assaulted the informant on his head by iron rod and when brother of the informant came to his rescue, it is alleged that petitioner No. 2 assaulted on his forehead by lathi, as a result of which, the informant and his brothers sustained injuries. The petitioner No. 1 is also alleged to have snatched gold chain of the informant.

It is submitted by learned counsel for the petitioners that petitioners and the informant are next door neighbours and both the parties have sustained injuries. It is further submitted that the injuries of the brother of the informant have been found to be simple in nature caused by hard and blunt substance whereas out



of six injuries, four injuries of the informant were found to be simple in nature whereas the opinion of other injuries have been kept reserved. Moreover, a compromise has taken place between the parties.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No. 211 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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