

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33740 of 2020

Arising Out of PS. Case No.-55 Year-2020 Thana- GADHPURA District- Begusarai

1. JAGARNATH SHARMA, S/o Late Jageshwar Sharma Resident of Kumharso, P.S.- Garhpura, Distt- Begusarai.
2. Pramod Sharma, S/o Dhanik Sharma Resident of Kumharso, P.S.- Garhpura, Distt- Begusarai.
3. Rahul, S/o Pramod Sharma Resident of Kumharso, P.S.- Garhpura, Distt- Begusarai.
4. Ritesh, S/o Pramod Sharma Resident of Kumharso, P.S.- Garhpura, Distt- Begusarai.
5. Gaytri Devi, W/o Pramod Sharma Resident of Kumharso, P.S.- Garhpura, Distt- Begusarai.
6. Ramchandra Sharma, S/o Late Triveni Sharma Resident of Kumharso, P.S.- Garhpura, Distt- Begusarai.
7. Krishna Kumar, S/o Shankar Sharma Resident of Kumharso, P.S.- Garhpura, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 22-01-2021 Heard Mr. Yogesh Chandra Verma, learned senior Advocate for the petitioners; Mr. Sanjay Kumar Pandey No. - 5, learned counsel for the informant; and Mr. Md. Aslam Ansari, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Garhpura P. S. Case No. 55 of



2020 dated 28.06.2020, corresponding to G. R. No. 2133 of 2020, instituted for the offences under Sections 323, 341, 504, 506, 307 and 34 of the Indian Penal Code.

It has been submitted on behalf of petitioners that there is a counter version to the occurrence and the parties are agnates. The occurrence arose out of a small issue and from the side of the petitioners also, persons have been injured for which counter case has been lodged.

Even otherwise, the learned senior counsel for the petitioners has submitted that the accusation in the F.I.R. is not specific but vague, general and omnibus.

The learned counsel for the informant has however submitted that in the counter case lodged by the defence side, the injuries suffered by the present prosecution side are simple in nature and therefore in the counter case, the present prosecution side have been granted bail on their surrender.



Considering this aspect of the matter, this Court is not inclined to grant anticipatory bail to the petitioners but it is being observed that in case the petitioners surrender before the court below and seek bail, all these aspects shall be taken into account and an order shall be passed, without being prejudiced by the fact that the present petition has not been entertained by this Court.

The petition for anticipatory bail is rejected but with the aforesaid observation.

(Ashutosh Kumar, J)

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