

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37818 of 2020

Arising Out of PS. Case No.-421 Year-2020 Thana- SUGAULI District- East Champaran

SHYAM KEWAL SHARMA, Male, aged about 24 years, son of Bharat Sharma, Resident of Village- Chhota Bangra, P.S.- Sugauli, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Amit Kumar Singh, Advocate.
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 147, 149, 341, 323, 324, 307, 504 and 120(B) of the I.P.C.

The prosecution story, in brief, is that when the informant alongwith his elder sister and sister's husband was returning to his home after getting his elder sister treated then all the F.I.R. named accused persons including the petitioner conspiratorially attacked upon him. When he tried to flee away



leaving his Motorcycle then Sanjay Sharma attacked him with *Farsa* due to which, he got injured and fell down. His brother-in-law was also attacked by Atal Sharma with *Dagger* due to which, he sustained leg injury. When his father reached there to rescue him, he was also assaulted by Chhathu, Shyam Kewal Sharma (petitioner) and Bharat Sharma. Accused Ram Kewal Sharma fired from his gun and gave threat that if anyone will come to save then he will be shot dead. When his sister came to rescue then she was also assaulted by *Lathi, Fatha and Gun*.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 25.08.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. For petty reason, the said occurrence is said to have taken place. General and omnibus allegation has been made against the petitioner. The petitioner has remained in custody for approximately six months.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of



the case, the petitioner above named, is directed to be released on bail 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 learned 4th A.C.J.M., Motihari, East Champaran, in connection with Sugauli P.S. Case No. 421/2020.

(Sudhir Singh, J)

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