

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.38620 of 2020

Arising Out of PS. Case No.-335 Year-2019 Thana- DALSINGHSARAI District- Samastipur

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RAMSOGARATH SHARMA @ SOGARATH SHARMA, son of late Jamun
Sharma Resident of Village- Chakbahauddin Tola Sijauli, P.S. Dalsinghsarai,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 29-04-2021 Heard Mr. Jitendra Narain Sinha, learned

counsel for the petitioner and Mr. Kalyan Shankar,

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Dalsinghsarai P. S. Case No.

335 of 2019, dated 24.11.2019, instituted for the

offences under Sections 147, 149, 307, 323, 341 and



447 of the Indian Penal Code.

The accusation against the petitioner is of assaulting the mother of the informant on her head, leading to injuries.

The learned counsel for the petitioner has submitted that the parties are agnates and neighbours also. The informant now does not wish to prosecute the petitioner any further.

However, these grounds do not weigh with this Court for grant of anticipatory bail as from the impugned order, it appears that the mother of the informant has received grievous injuries.

Thus, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account all relevant facts, namely, the petitioner being the agnate of the informant; the settlement between the parties; and the nature of injuries on the



person of the mother of the informant, and shall pass orders in accordance with law, without being prejudiced by the fact that the present petition has not been entertained by this Court.

(Ashutosh Kumar, J)

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