

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.898 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- HUSSAINGANJ District- Siwan

1. BHIMSEN SHARMA S/O Late Parshuram Sharma Resident of Village - Hasanpurwa Tola, Rampur, P.S. - Hussainganj, District - Siwan, Bihar.
2. Kunti Devi W/O Bhimsen Sharma Resident of Village - Hasanpurwa Tola, Rampur, P.S. - Hussainganj, District - Siwan, Bihar.
3. Loknath Sharma S/O Bhimsen Sharma Resident of Village - Hasanpurwa Tola, Rampur, P.S. - Hussainganj, District - Siwan, Bihar.
4. Deenbandhu Sharma S/O Bhimsen Sharma Resident of Village - Hasanpurwa Tola, Rampur, P.S. - Hussainganj, District - Siwan, Bihar.
5. Hare Krishna Sharma S/O Bhimsen Sharma Resident of Village - Hasanpurwa Tola, Rampur, P.S. - Hussainganj, District - Siwan, Bihar.
6. Hareram Sharma S/O Bhimsen Sharma Resident of Village - Hasanpurwa Tola, Rampur, P.S. - Hussainganj, District - Siwan, Bihar.
7. Shambhu Sharma @ Jaykaran Sharma S/O Bhimsen Sharma Resident of Village - Hasanpurwa Tola, Rampur, P.S. - Hussainganj, District - Siwan, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nihar Nandan Ambasta
For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 147, 341, 323, 379, 307, 504, 506 of



the Indian Penal Code.

The prosecution allegation, in short, is that due to issue over earth filling, the accused persons assaulted the husband of the informant and other family members due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. Though the allegation of committing theft is alleged against the petitioner no. 3 but there is no recovery of stolen property from the possession of petitioner no. 3.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned A.C.J.M. -13,



Siwan in connection with Hussainganj P.S. Case No. 97/20,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall
furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with
two sureties of the like amount each within a period of eight
weeks to the satisfaction of the Court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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