

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39888 of 2020**

Arising Out of PS. Case No.-120 Year-2020 Thana- RAGHUNATHPUR District- Siwan

1. Shankar Sharma son of Late Chandrama Sharma Resident Of Village-Khujhwa, P.S.-RAGHUNATHPUR, District-Siwan.
2. Munna Sharma son of Shankar Sharma Resident Of Village-Khujhwa, P.S.-raghunathpur, District-Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

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

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 24-11-2021 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, 148, 149, 341, 323, 324, 307, 354, 379 of the Indian Penal Code.



It is alleged by the informant that in the background of some petty dispute, the petitioners and others came at the door of the informant and started assaulting him. It is alleged that Bhola Sharma assaulted with farsa on the head of the informant and Shankar Sharma assaulted ten years old daughter of the informant. The other family members of the informant were also assaulted by the petitioners and others. The accused persons also taken away gold chain worth Rs. 10,000/- from the possession of the informant.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the petitioners. It is further submitted that in order to save his skin from Raghunathpur P.S. Case No. 126 of 2020 lodged by the petitioner No. 1 against the informant's side, this false case has been lodged against the petitioners. Moreover, the accusation of assault and the injuries have not been sustained by the injury report which shows the injuries to be simple in nature. A



statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

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 Chief Judicial Magistrate, Siwan in connection with Raghunathpur P.S. Case No. 120 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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