

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1621 of 2021

Arising Out of PS. Case No.-96 Year-2020 Thana- HUSSAINGANJ District- Siwan

1. INDRAJEET SHARMA @ INDRAJEET KUMAR SHARMA Son of Arjun Sharma Resident of village - Hasanpuwa, Tola Rampur, P.S.- Hussainganj, District - Siwan.
2. GANESH SHARMA Son of Late Lal Bahadur Sharma @ Late Shyam Bahadur Sharma Resident of village - Hasanpuwa, Tola Rampur, P.S.- Hussainganj, District - Siwan.
3. SUJIT SHARMA Son of Arjun Sharma Resident of village - Hasanpuwa, Tola Rampur, P.S.- Hussainganj, District - Siwan.
4. AMARJEET SHARMA Son of Arjun Sharma Resident of village - Hasanpuwa, Tola Rampur, P.S.- Hussainganj, District - Siwan.
5. ARJUN SHARMA Son of Late Lal Bahadur Sharma @ Late Shayam Bahadur Sharma Resident of village - Hasanpuwa, Tola Rampur, P.S.- Hussainganj, District - Siwan.
6. SHYAM SHARMA Son of Late Lal Bahadur Sharma @ Late Shayam Bahadur Sharma Resident of village - Hasanpuwa, Tola Rampur, P.S.- Hussainganj, District - Siwan.
7. AWADHESH SHARMA Son of Late Lal Bahadur Sharma @ Late Shayam Bahadur Sharma Resident of village - Hasanpuwa, Tola Rampur, P.S.- Hussainganj, District - Siwan.
8. AMIT SHARMA Son of Awadhesh Sharma Resident of village - Hasanpuwa, Tola Rampur, P.S.- Hussainganj, District - Siwan.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Rakesh Kumar Shrivastava, Advocate.
For the State	:	Mr. Sunil Kumar Pandey, A.P.P.
For the Informant	:	Mr. Shiv Sager Sharma, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 07-09-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 04.01.2021, within



four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant, through Video Conferencing.

The petitioners apprehend their arrest in connection with Hussainganj P.S. Case No.96 of 2020 registered under Sections 147, 341, 323, 308, 379, 324, 504 and 506 of the Indian Penal Code.

The accusation is that the informant Bhimsen Sharma was present at his purchased land for filling the soil. At that time, the petitioners variously armed with weapons came there and started to abuse. When the informant made protest, then he was assaulted by them through lathi, iron rod and sword causing injury on his head. On the alarm being raised by the informant, when the sons of the informant rushed to save, then they were also assaulted by them through sword and iron rod. When the wife of the informant rushed, then she was also assaulted by them. On receiving the injuries, the informant and others were rushed to the hospital for treatment.

Learned counsel for the petitioners submits that, in fact, due to land dispute, the occurrence of “Maar-Peet” took



place between the parties, in which petitioners' side also sustained injury regarding which Hussainganj P.S. Case No.97 of 2020 was also instituted by the petitioners' side against the prosecution party. Moreover, the injuries, as found on the person of the informant and others, are simple in nature. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XIII, Siwan, in connection with Hussainganj P.S. Case No.96 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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