

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2952 of 2021

Arising Out of PS. Case No.-101 Year-2020 Thana- HULASGANJ District- Jehanabad

1. SANJIV KUMAR @ GUDDU SHARMA Son of Naval Kishor Sharma Resident of Village - Kandaul, P.S. - Hulasganj, District - Jehanabad.
2. Bhushan Sharma Son of Late Sakaldeo Sharma Resident of Village - Kandaul, P.S. - Hulasganj, District - Jehanabad.
3. Ankit Kumar Son of Late Satish Sharma Resident of Village - Kandaul, P.S. - Hulasganj, District - Jehanabad.
4. Mayank Kumar Son of Late Satish Sharma Resident of Village - Kandaul, P.S. - Hulasganj, District - Jehanabad.
5. Santosh Kumar Son of Late Satish Sharma Resident of Village - Kandaul, P.S. - Hulasganj, District - Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 379/34 of the Indian Penal Code.

Allegation is that petitioner Sanjiv Kumar @ Guddu



snatched chain and mangalsutra of gold from the neck of Madhurani Devi. Petitioner Ankit Kumar assaulted the informant on his head with rod, as a result of which he sustained injuries and fell down and petitioner Bhushan Sharma assaulted the informant by means of lathi and petitioner Santosh Kumar gave a knife blow on Monu Kumar, as a result of which Monu Kumar sustained injury on the finger of his left hand.

It has been submitted on behalf of the petitioners that the petitioners No.2, 4 and 5 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. It is a case and counter case between the parties. Counter case is Annexure 2 to the present application. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on



anticipatory bail on their personal bond to the satisfaction of Smt. Priyanka Kumari, learned Judicial Magistrate, 1st class, Jehanabad in connection with Hulasganj P.S. case No.101 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will 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)

Narendra/-

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