

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2638 of 2022

Arising Out of PS. Case No.-27 Year-2021 Thana- UPHARA District- Aurangabad

1. SUDHIR SHARMA Son of Kamlesh Sharma Resident of Village- Mahesh Parsasi, P.s.- Uphara, District - Aurangabad.
2. Kamal Nain Sharma Son of Akhilesh Sharma Resident of Village- Mahesh Parsasi, P.s.- Uphara, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar, Adv.
For the Opposite Party/s	:	Mr.Mukeshwar Dayal, APP
For the Informant	:	Mr.Anuj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

Allegation against the petitioners is that they along with other accused persons have abused and assaulted the informant's side by means of lathi, stones and bricks.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has taken place. There is case and counter-case between the parties and both sides have sustained grievous injuries. There is an admitted land dispute between the parties. There is land dispute between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since both parties have sustained grievous injury, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Uphara P.S. Case No.27/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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