

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32931 of 2021

Arising Out of PS. Case No.-76 Year-2019 Thana- SAKURABAD District- Jehanabad

1. UPENDRA SHARMA S/o of Lallan Sharma R/o Village- Kundila, P.S.- Shakurabad, District- Jehanabad.
2. Mukesh Sharma S/o of Lallan Sharma R/o Village- Kundila, P.S.- Shakurabad, District- Jehanabad.
3. Golden @ Vankatesh Sharma @ Venkatesh Kumar @ Kumar S/o- Upendra Sharma R/o Village- Kundila, P.S.- Shakurabad, District- Jehanabad.
4. Anand Gaurav S/o- Upendra Sharma R/o Village- Kundila, P.S.- Shakurabad, District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar. Adv.
For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 02-02-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State through video conferencing.

The petitioners apprehend their arrest in connection with Shakurabad P.S. Case No. 76 of 2019, registered for the offences punishable under Sections 323, 354, 379, 307, 504, 506, 34 of the Indian Penal Code.

As per allegation, on 26.04.2019, the informant with her husband and *devar* was returning from the marriage of her bhagina, meanwhile, the petitioners armed with pistol came there and threatened her to withdraw the earlier case. They also assaulted her



and when her husband came to rescue her, petitioner No. 1 and 2 assaulted him with *lathi* and *danda*. Petitioner No. 3 inflicted axe blow upon the *devar* of the informant which hit on a tree.

Learned counsel for the petitioners has submitted that both the parties are relatives and there is land dispute between both the parties. He has also submitted that none of the informant side has sustained any injury.

From perusal of the order of learned Sessions Judge, Jehanabad it appears that Title Suit No. 120 of 2018 is pending between both the parties in the court of Spl. Judge-1st, Jehanabad.

Considering the fact that there is land dispute between the parties and none has sustained any injuries, let the petitioners be released on anticipatory bail in the event of their arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, or concern court Jehanabad, in connection with Shakurabad P.S. Case No. 76 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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