

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27374 of 2022

Arising Out of PS. Case No.-606 Year-2021 Thana- HILSA District- Nalanda

1. SAMIR SHARMA @ SHAMBIR SHARMA @ SAMIR KUMAR Son of Chhot Narayan Singh Resident of Village - Karod Nagar (Dabaul),P.S.- Hilsa, Distt.- Nalanda.
2. ASHOK KUMAR @ ASHOK SINGH @ ASHOK SHARMA Son of Ramawatar Singh Resident of Village - Karod Nagar (Dabaul),P.S.- Hilsa, Distt.- Nalanda.
3. SUSHANT KUMAR @ CHITTU KUMAR @ SUSHANT Son of Ashok Sharma @ Ashok Kumar @ Ashok Singh Resident of Village - Karod Nagar (Dabaul),P.S.- Hilsa, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa
For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 26-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

At the outset, the learned counsel for the petitioners has submitted that during the pendency of this bail petition, petitioner no. 1, Samir Sharma @ Shambir Sharma has been arrested and, as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this bail petition with respect to petitioner no. 1.



In view of the above submission, **this petition is dismissed as withdrawn with respect to petitioner no. 1.**

So far as **petitioner nos. 2 and 3** are concerned, they apprehend their arrest in connection with Hilsa P.S. Case No. 606 of 2021 registered for offence punishable under sections 323, 324, 379, 504, 506 read with section 34 of the Indian Penal Code, 1860 and section 25 (1-b)a, 26, 27 of the Arms Act, 1959.

As per allegation, when the informant and his family members went to their fields for irrigation, the accused persons including the petitioners badly assaulted them with *lathi, rod*, etc. The petitioner Ashok Kumar @ Ashok Sharma started firing.

The learned counsel for the petitioners has submitted that there is case and counter case, though there is allegation of opening fire, but none has sustained fire arm injury. He has also submitted that the informant is a veteran criminal.

Considering the above-mentioned facts and circumstances, let **petitioner nos. 2 and 3**, in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned ADJ-II, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 606 of 2021, subject to condition 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 mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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