

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31364 of 2022

Arising Out of PS. Case No.-226 Year-2020 Thana- DAUDNAGAR District- Aurangabad

1. SURENDRA SHARMA S/o Ram Ekbal Sharma Resident of Village- Arai, P.S.- Daudnagar, District- Aurangabad, Bihar.
2. Santosh Sharma S/o Surendra Sharma Resident of Village- Arai, P.S.- Daudnagar, District- Aurangabad, Bihar.
3. Chandan Sharma S/o Surendra Sharma Resident of Village- Arai, P.S.- Daudnagar, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that informant alleges that on 2.08.2020 while informant was preparing his field for sowing crops when from behind petitioners house some garbage and glasses were thrown in his field to which he objected, thereafter, it is alleged that the petitioners came variously armed and assaulted him and his son causing injury.

Learned counsel submits that from bare perusal of the



allegation as alleged in the FIR, it would manifest that on account of throwing garbage, the present occurrence is alleged to have taken place, it is next submitted that allegation of assault is general and omnibus in nature i.e., no specific allegation has been alleged against any of the accused and the injury suffered by the injured is simple in nature (Annexure 2) which amply demonstrates that petitioner never had the intention of committing a serious occurrence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Daudnagar P.S. Case No. 226 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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