

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43871 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- GADHPURA District- Begusarai

SHANKAR SHARMA SON OF RAM PRAVESH SHARMA Resident of
Village - Kumharso, P.s.- Gadhpura, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr. Sanjay Kumar Pandey No. 5

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2022 Heard learned counsel for the parties through virtual court proceedings.

Petitioner seeks regular bail in connection with Gadhpura P.S. Case No. 55 of 2020 registered for the offence under Section 323 , 341 , 504 , 506 , 307 and 34 of the I.P.C.

As per the First Information Report petitioner along with other accused persons, altogether 12 in number, assaulted the informant and his family members due to which they sustained grievous injuries.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case along with his entire family members, both the parties are agnates, there is case



and counter case between them inasmuch as Gadhpura P.S. Case No. 56 / 2020 has been lodged for an incident which has taken place on the same date and time. He further submits that the side of the petitioner also sustained simple injury. In the FIR no specific overt act has been alleged against the petitioner. The petitioner is in custody for more than one year since 29th November, 2020 having no criminal antecedent and charge sheet has already been submitted.

On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that four persons from the side of the informant have sustained grievous injuries and during the course of investigation it has come to light that the petitioner was one of the assailants.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that both the parties are agnates, there is case and counter case between them, petitioner is in custody since 29 / 11/ 2020 having no criminal antecedent, charge sheet has already been submitted and trial is not likely to be concluded in near future due to Covid 19 pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 10000/-
(ten thousand) with two sureties of the like amount each to the
satisfaction of learned CJM, Begusarai in connection with
Gadhpura P.S. Case No. 55 of 2020.

(Anil Kumar Sinha, J)

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