

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46775 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- RUPAULI District- Purnia

SIKANDAR SHARMA @ SIKANDER KUMAR S/o Late Bhumehsvar
Sharma Resident of Village- Airaji Khalsa, P.S.- Rupauli, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in Rupauli P.S. Case No. 03 of 2021 registered under Sections 341, 323, 308, 120(b), 447, 379, 34 of the Indian Penal Code.

Prosecution case in short is that the accused Sikandar Sharma assaulted the informant on his head with a lathi and he also assaulted informant's wife and his sister-in-law (brother's wife).

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The



petitioner has been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The case has been lodged after two days of the alleged occurrence. The delay in instituting the FIR has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Rupauli P.S. Case No. 03 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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