

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46370 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- HULASGANJ District- Jehanabad

1. Anil Sharma @ Anil Kumar S/o Late Rajnandan Singh @ Late Rajnandan Sharma R/o village- Kandaul, P.S.- Hulasganj, District- Jehanabad
2. Praphul Sharma @ Praful Kumar @ Niraj Sharma S/o Anil Sharma @ Anil Kumar R/o village- Kandaul, P.S.- Hulasganj, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party : Mr.Jagdhara Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-04-2022 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Hulasganj P.S. Case No.47 of 2021 registered for offences under Sections 147, 148, 149, 341, 323, 325, 326, 307, 379 and 504 of the Indian Penal Code.

At the very outset, learned counsel for the petitioners submits that petitioner no.1, namely, Anil Sharma @ Anil Kumar has been arrested during the pendency of this



application. Hence, he seeks permission to withdraw the application.

Permission is accorded.

The application for anticipatory bail is dismissed as withdrawn so far as petitioner no.1, namely, Anil Sharma @ Anil Kumar is concerned.

So far as petitioner no.2 , namely, Praphul Sharma @ Praful Kumar @ Niraj Sharma is concerned, from the impugned order it appears that the injury report is not available on record.

Considering the aforesaid fact, the application for anticipatory bail on behalf of petitioner no.2 , namely, Praphul Sharma @ Praful Kumar @ Niraj Sharma is allowed till submission of the charge-sheet.

Accordingly, let petitioner no.2 , namely, Praphul Sharma @ Praful Kumar @ Niraj Sharma, in the event of his arrest or surrender within four weeks from today, ***be released on bail till submission of charge-sheet*** on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Priyanka Kumar, Judicial Magistrate, 1st Class, Jehanabad in connection with Hulasganj P.S. Case No.47 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



It is made clear that if the injury report is submitted showing that the injury sustained by the victim is simple in nature, then the anticipatory bail granted to petitioner no.2, namely, Praphul Sharma @ Praful Kumar @ Niraj Sharma shall be confirmed by the court below after submission of the charge-sheet. If the injury report shows that the injury sustained by the victim is grievous in nature, in such a situation the bail bond of the petitioner shall be cancelled and he shall be taken into custody forthwith.

(Sandeep Kumar, J)

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