

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40739 of 2022

Arising Out of PS. Case No.-785 Year-2021 Thana- SONEPUR District- Saran

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1. Sonu Sharma @ Sonu, Son Of Bhola Sharma Resident Of Village - Savaich, Sonepur, P.S.- Sonepur, Dist.- Saran.
 2. Monu Sharma, Son Of Bhola Sharma Resident Of Village - Savaich, Sonepur, P.S.- Sonepur, Dist.- Saran.
 3. Bhola Sharma, Son Of Late Bhageshwar Sharma Resident Of Village - Savaich, Sonepur, P.S.- Sonepur, Dist.- Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
341, 323, 354B, 379 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioner nos.1 and 2 are aged about 22 and 20 years
respectively and they all are persons with clean antecedent and
the informant alleges that Sonu Sharma entered her house and
tried to outrage her modesty and when her husband and family
members came, then Monu Sharma and Bhola Sharma assaulted



her husband with lathi causing injury on hand and Bhola Sharma assaulted Sona Lal Sharma on head causing injury. Further, Bhola Sharma snatched gold chain and Sonu Sharma pulled her sari.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that as far as allegation against Sonu Sharma is alleged, the same is of outraging the modesty of the informant. It is next submitted that Sonu Sharma and informant were known to each other and had come to meet the informant, but when her husband and family members came, the present false case came to be instituted. It is also submitted that allegation against Monu Sharma is of assaulting her husband by lathi causing injury on hand which is said to be grievous, but then the injury is on non-vital part of the body. It is next submitted that Bhola Sharma is alleged to have assaulted Sone Lal Sharma, but the F.I.R. does not disclose where he suffered injury and as far as allegation of snatching of gold chain and pulling sari is alleged, the same is ornamental. It is next submitted that petitioner nos.1 and 2 are young boys aged about 22 and 20 years respectively and their entire career would be jeopardized, if they are sent to judicial custody and chances are bright that



they may come in contact with hardened criminals. It is also submitted that petitioners will not evade the law rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer.

Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sonapur (Hariharnath O.P.) P. S. Case No.785 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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