

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60141 of 2021

Arising Out of PS. Case No.-174 Year-2020 Thana- BARHARA KOTHI District- Purnia

1. BIPIN KUMAR SHARMA @ BIPIN SHARMA S/o BODO @ BEDANAND SHARMA R/o VILLAGE-BALA PEM DARGAH, P.S-BARHARA (RAGHU BANSI NAGAR), DISTRICT-PURNEA.
2. MITHUN SHARMA @ MITHUN KUMAR S/o INDAL SHARMA R/o VILLAGE-BALA PEM DARGAH, P.S-BARHARA (RAGHU BANSI NAGAR), DISTRICT-PURNEA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Barhara P.S. Case no. 174 of 2020 instituted for the offence under Sections 147, 148, 149, 341, 323, 307, 302, 504 and 379 of the Indian Penal Code.

As per allegation in the FIR, co-accused Sabita Devi called the brother of the informant at her courtyard. With a view to implicate him, she raised hulla then several accused persons including the petitioners armed with weapons came there and assaulted him, at the instance of her father-in-law, resulting into



his head injury. Ultimately, he died in the way to hospital.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. General and omnibus allegation of assault has been levelled against the petitioners. Specific allegation is against co-accused Sabita Devi and Sadanand Sharma, who are the conspirator and order giver of killing. From perusal of the injury report, it reveals there is one lacerated wound on right forearm and another lacerated wound is on mid upper head caused by hard and blunt substance. Nothing has been attributed against these petitioners. Similarly situated other co-accused person has already been granted anticipatory bail by this Court vide order dated 14.1.2022 passed in Cr. Misc. No. 19190 of 2021.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Barhara P.S. Case no. 174 of



2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Purnia subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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