

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65228 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- PHENHARA District- East Champaran

SURESH SHARMA S/o Sri Vasudeo Sharma Resident of Village- Mankarwa,
P.S.- Phenhara, District- East Champaran, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mrs. Rashmi Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-08-2022 Heard the learned counsel for the petitioner and
learned APP for the State and perused the case diary.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324 and 379 of the Indian Penal Code.

It is a case of assault upon the informant's side due to which two persons were sustained injuries and further allegation against the petitioner is that he took out the mobile and cash of Rs.4,000/- from the informant's father.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that the opinion with regard to nature of injury has also been separately stated by two government hospitals.



The PHC, Madhuban has stated the nature of the injury of the informant Raj Kumar to be grievous, while the Sadar Hospital, Motihari has stated the injury of the informant as simple in nature and this raises serious doubt about the prosecution story. Petitioner has clean antecedent.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Phenhara P.S. Case No. 47 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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