

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4050 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- GAMAHARIYA District- Madhepura

Bishundeo Sharma Son Of Late Shivi Sharma @ Shiri Sharma Resident Of
Village - Chikni Kharh, P.S.- Gamharia, District - Madhepura.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 447, 504, 506 of the Indian Penal Code.

The prosecution case in nutshell is that petitioner along with other co-accused persons, variously armed, came at the land of one Sanmol Devi(Bhabhi of the informant) and started to built a hut and when the informant made protest then petitioner assaulted him by means of Farsa due to which he sustained injuries. It is



further submitted that accused persons forcibly entered the house of the informant. It is further alleged that one Harina Sah assaulted Brinda Devi by means of farsa due to which she sustained injuries. When family members of the informant came to rescue, they were also assaulted by co-accused persons.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is case and counter case between the parties and in the background of land dispute, the present case has been lodged with false and concocted allegations. It is further submitted that injury report does not corroborates with the prosecution version of the case. Moreover, the petitioner is languishing in judicial custody since 19.10.2022.

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

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Gamharia P.S. Case No. 67 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. II, Madhepura.

(Sunil Kumar Panwar, J)

Manish Kumar/-

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