

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.6485 of 2023

Arising Out of PS. Case No.-39 Year-2022 Thana- BELDOUR District- Khagaria

1. KAILASH SHARMA SON OF LATE PARMESHWARI SHARMA R/O VILLAGE- BELDAUR, P.S.- BELDAUR, DISTRICT- KHAGARIA
2. DOMI SHARMA @ SHYAM SUNDAR SON OF JADDU SHARMA R/O VILLAGE- BELDAUR, P.S.- BELDAUR, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 17-05-2023 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Beldaur Police Station Case No. 39 of 2022, dated 18.02.2022, disclosing offences under Sections 147/148/149/323/307/384/406/457/354/380 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information Report, is that the petitioner, along with other co-accused persons, seven in number, entered into the house of the informant and the petitioner no. 1, with the help of co-accused



Jyoti Kumar, assaulted the informant brutally and the petitioner no. 2, along with other co-accused persons, looted six bags of maize and five bags of rice.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute between the parties. He next submit that no injury report has been brought on record by the prosecution, which would be evident from the impugned order itself.

Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that no injury report has been brought on record by the prosecution and there is land dispute between the parties, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria, in connection with Beldaur Police Station Case No. 39 of 2022, subject to the condition laid



down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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