

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10216 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- BIHARIGANJ District- Madhepura

Amit Sharma @ Makurchand Sharma Son Of Suresh Sharma R/O Village-
Saraunia Kala, Ward No.11, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjya Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
26.07.2022 in connection with Biharganj P.S. Case No. 161 of
2022, F.I.R. dated 24.06.2022 for the offences punishable under
Sections 147, 148, 149, 447, 448, 341, 323, 324, 307, 427, 379,
504 and 506 of the Indian Penal Code.

According to prosecution case, all the accused persons
including the petitioner armed with weapons have assaulted the
informant's father and this petitioner have iron rod blow to the
informant's father due to which he sustained several injuries.
They entered into the house of the informant and committed



loot.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the present occurrence has taken place due to land dispute between the parties. He further submits that from perusal of the F.I.R. it transpire that the allegation against the petitioner is that he assaulted the father of the informant by means of rod.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the allegation as alleged in the F.I.R. is supported by the medical evidence.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Biharganj P.S. Case No. 161 of 2022 pending in the court of learned Additional District Judge VII, District- Madhepura.

Prayer is refused.

(Rajesh Kumar Verma, J)

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