

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9790 of 2023

Arising Out of PS. Case No.-80 Year-2018 Thana- ALOULI District- Khagaria

1. DIPO SHARMA @ DEEP NARAYAN SHARMA Son of Late Seeta Ram @ Late Sitaram Sharma R/V- Tilak Nagar, P.S- Allouli, Dist- Khagaria
2. Gaurav Sharma @ Kumar Gaurav @ Kunal Gaurav Son of Dip Narayan Sharma R/V- Tilak Nagar, P.S- Allouli, Dist- Khagaria
3. Bhallu Sharma @ Bhulli Sharma Son of Dip Narayan Sharma R/V- Tilak Nagar, P.S- Allouli, Dist- Khagaria
4. Lalo Sharma @ Lalo Kumar son of Deep Narayan Sharma R/V- Tilak Nagar, P.S- Allouli, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 448, 427, 354, 504, 506, 34 of the Indian Penal Code.

Allegedly, after some altercation, petitioners assaulted the informant and her sister's husband Shankar Sharma by means of iron rod and threatened her to kill her. They also tried to outraged the modesty of her sister.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. Both the parties are next door neighbours. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. Both sides have filed cases against each other. A Title Suit No. 86 of 2018 is going on between the parties due to which with a view to make pressure upon the petitioners, the present case has been filed. Both sides have sustained injuries and the injuries are found simple in nature. It is further submitted that petitioners are enjoying the benefit of Section 41(a). Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned



lower Court where the case is pending/successor Court in connection with Allouli P.S. Case No. 80 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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