

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22612 of 2023

Arising Out of PS. Case No.-195 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

1. SHAILESH SHARMA S/O LATE UMESH SHARMA Resident of Village- Mananpur, P.S.- Makhdumpur, District- Jehanabad
2. NIGAM KUMAR S/O JAY NARAYAN SHARMA Resident of Village- Mananpur, P.S.- Makhdumpur, District- Jehanabad
3. DABLOO SHARMA @ DABLOO S/O SHAILESH SHARMA Resident of Village- Mananpur, P.S.- Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Manoj Kumar, learned counsel appearing on behalf of the petitioners and Mr. Ram Priya Sharan Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Makhdumpur P.S. Case No. 195 of 2020 registered for the offence punishable under Sections 147, 149, 323, 341, 325, 307, 379 and 504 of the Indian Penal Code.

3. Prosecution story, in brief, is that while the informant along with her daughter was unloading articles from tractor, the accused persons named in the F.I.R. started assaulting them in which the informant sustained injury on her



right hand and left leg. Co-accused Jay Narayan Sharma assaulted on the head of the daughter of the informant who had come to save the informant. Co-accused Surat Kumari snatched golden chain and ear ring from her daughter.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the case. General and omnibus allegation has been made against the petitioners. There is no specific allegation against the petitioners of assaulting anyone. One co-accused Jay Narayan Sharma against whom there is specific allegation of assaulting the daughter of the informant on her head has already been released on bail by a co-ordinate Bench of this Court vide order dated 18.05.2023 passed in Cr. Misc. No. 12273 of 2023.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the allegation made in the F.I.R. as well as the fact that no specific allegation has been alleged against the petitioners above named and another co-accused namely Jay Narayan Sharma against whom there is specific allegation of causing injury on the head of the informant has already been released on bail vide order dated 18.05.2023



passed in Cr. Misc. No. 12273 of 2023, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur P.S. Case No. 195 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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