

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33873 of 2023

Arising Out of PS. Case No.-26 Year-2022 Thana- CHHATAPUR District- Supaul

1. Ranjit Sharma, S/o Kishori Sharma R/o Village- Lalganj, Ward No. 08, P.S- Chhatapur, Distt.- Supaul.
2. Kishore Kumar, S/o Tilay Sharma @ Jilay Sharma, R/o Village-Parsahi, P.S- Triveniganj, Distt.- Supaul.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners seek bail in connection with Session Trial No.222 of 2022 arising out of Chhatapur P.S. Case No.26 of 2022 registered for the offences punishable under Sections 147, 148, 149, 447, 448, 323, 307, 302, 504 and 506 of the Indian Penal Code.

The accused/petitioners named in the FIR and are in custody since 22.03.2022 and 25.02.2022 respectively.

Allegation against the petitioners is to commit murder of husband of informant along with other co-accused persons by causing bodily injuries , where assault was caused by iron rod, *farsa*, etc, where occurrence took place in the



background of land dispute.

It is submitted by learned counsel that the allegation against this petitioner is limited only being part of mob, where specific allegation as to cause fatal assault is available against co-accused, namely, Chandan Kumar, Kailu Sharma, and Jitendra Sharma. It is submitted that the occurrence is free fight in nature where both parties received injuries and for the same set of occurrence, a case on behalf of petitioners' side was registered prior to this case, which was registered as Chhatapur P.S. Case No.24 of 2022. While concluding argument, it is submitted that petitioners are men of clean antecedent and moreover investigation of this case has been completed for which charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for bail of the petitioners.

In view of the above-mentioned facts and circumstances and by taking note of nature of allegation where petitioners appears to be part of mob only without attributing any overt act, coupled with the fact that the specific allegation is available against co-accused, Chandan Kumar, Kailu Sharma and Jitendra Sharma, where petitioners are in custody since



22.03.2022 and 25.02.2022 respectively, accordingly, the petitioners above-named are directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Supaul in connection with Session Trial No.222 of 2022 arising out of Chhatapur P.S. Case No.26 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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