

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33478 of 2023

Arising Out of PS. Case No.-341 Year-2022 Thana- CHHATAPUR District- Supaul

1. BALESHWAR SHARMA S/o- LATE GANGESHWAR SHARMA Village- Daharia Ps- Chhatapur Dist- Supaul
2. Ravin Sharma @ Ravindra Sharma son of Baleshwar Sharma Village- Daharia Ps- Chhatapur Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Chhatapur P.S. Case No. 341 of 2022, registered for the offence punishable u/s 341, 323, 324, 307, 354A, 325, 379, 504, 506/34 of the IPC, pending in the court of learned A.C.J.M.-V, Supaul.

3. Allegedly, petitioners, along with other accused persons, armed with deadly weapons, came at the door of the informant and on instigation by co-accused Shanti Devi, petitioner no.1 caught the informant and others assaulted him with lathi-danda. He further alleged that her husband, namely, Danalal Sharma was assaulted by petitioner no.1 with *Pharsa* on



his head and when her daughter-in-law, namely, Soni Devi came there to rescue, petitioner no.2 tried to outrage her modesty.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Both the parties are 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. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that there is specific allegation of assault against the petitioners and injuries sustained by the victims were found grievous in nature, which is also evident from the impugned order, hence, they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case as well as nature of the injuries sustained by the victims i.e. grievous, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail,



the learned Court below shall pass order on the same day in
accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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