

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33428 of 2023

Arising Out of PS. Case No.-191 Year-2022 Thana- KURSAKANTA District- Araria

1. Rajesh Sharma @ Rajesh Kumar Sharma Son Of Paltu Sharma Resident Of Village - Sundari, Ward No.- 08, P.S.- Kursakanta (Kuwari O.P.), Dist.- Araria
2. Rekha Devi Wife Of Ramesh Sharma Resident Of Village - Sundari, Ward No.- 08, P.S.- Kursakanta (Kuwari O.P.), Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 307, 379, 354(B), 504, 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioners is said to have assaulted the son of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that the specific allegation has been levelled against the petitioner no. 1 that he gave a single lathi blow on



the leg of injured Sunil Sharma, which is non-vital part and petitioner no. 2 gave lathi blow on the head of the injured Sunil Sharma. He further submits that from perusal of the injury report of Sunil Sharma it appears that he sustained injuries on the head are simple in nature and also sustained fracture injury on his leg which is said to be grievous in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the nature of the injury, let the above named petitioner no.2, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kursakanta P.S. Case No. 191 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that injury was found grievous in nature, I am not



inclined to enlarge petitioner no.1 on anticipatory bail. The prayer for anticipatory bail of the petitioner no. 1 is hereby rejected.

8. However, the petitioner no. 1 surrenders before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

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