

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42375 of 2023**

Arising Out of PS. Case No.-51 Year-2022 Thana- BHAPTIAHI District- Supaul

1. GUN SAGAR SHARMA S/O VISHWANATH SHARMA R/O Village. Gadhiya, PS. Bhaptiyahi, Dist. Supaul
2. VISHWANATH SHARMA S/O LATE LATURI SHARMA @ LATE GAURI SHANKAR SHARMA R/O Village. Gadhiya, PS. Bhaptiyahi, Dist. Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Mishra, Adv.  
For the Opposite Party/s : Mr.Jai Narain Thakur, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      07-11-2023              Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 457, 302 of the Indian Penal Code.

3. Allegedly, after some altercation, all the accused persons including the petitioners assaulted the informant's side brutally.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. 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 specific allegation against co-accused Ravindra Sharma, Kishundev Sharma and Nageshwar Sharma. At best, the petitioners are said to be the members of mob. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 Bhaptiyahi P.S. Case No. 51 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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