

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49350 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- MUSRIGHRARI District- Samastipur

1. Ranjit Sharma @ Ranjeet Sharma, S/O Late Suresh Prasad Sharma, R/O Village- Laguniya Raghukanth, P.S- Muffasil, Distt.- Samastipur.
2. Sunil Kumar Sharma @ Sunil Sharma, S/O Late Suresh Prasad Sharma, R/O Village- Laguniya Raghukanth, P.S- Muffasil, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Musrigharari P.S. Case No. 22 of 2023, registered for the offences under Sections 341, 323, 324, 307, 354 and 504/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other co-accused persons came to the house of the informant and assaulted her with knife and they also tore her blouse.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioners are step-brothers of the husband of the



informant and there is land dispute between the parties. The informant side started construction over the land of the petitioners. When the petitioners forbade the informant from doing so, the informant and others brutally assaulted the petitioners for which Musrigharari P.S. Case No. 26 of 2023 was lodged against the informant side. The injury report shows only lacerated wound and no sharp cut wound has been found. The dimensions of injuries are quite small and injuries are stated to be simple caused by hard and blunt substance. Learned counsel further submits that informant side has assaulted the petitioners in the background of land dispute. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the background of land dispute coupled with simple nature of injuries of the victim and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand



Only) each with two sureties of the like amount each to the satisfaction of learned JMFC-cum-Additional Munsiff, Samastipur/concerned court in connection with Musrigharari P.S. Case No. 22 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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