

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53154 of 2023

Arising Out of PS. Case No.-268 Year-2023 Thana- HISUWA District- Nawada

RAJKUMAR SHARMA, Son of Late Nanhuk Sharma, Resident of village -
Maulanagar, P.S. - Hisua, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-08-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Hisua P.S. Case No. 268
of 2023 dated 29.05.2023 registered for the offences punishable
u/ss 147, 148, 149, 323, 341, 379, 307, 324, 325 and 427 of the
Indian Penal Code.

4. As per the prosecution case, the petitioner and the
co-accused persons along with 8-10 unknown accused persons
stopped the Tata Tiago vehicle of the informant and started



abusing and assaulting him. The co-accused Bittu Kumar assaulted the informant with iron rod causing head injury. It is further alleged that the co-accused persons Pankaj Kumar snatched gold chain and Sudhir Kumar took Rs. 10,000/- from the informant's pocket. Thereafter, the informant's younger brother came there then the co-accused Pawan Kumar assaulted him with iron rod due to which he sustained head injury. It is also alleged that the accused persons took his motorcycle and damaged Tata Tiago car.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is case and counter case between the parties. Nothing has been recovered from the possession of the petitioner. Both parties have sustained injuries. The co-accused persons have already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 19.08.2023 passed in Cr. Misc. No. 52549 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Hisua P.S. Case No. 268 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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