

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 52779 of 2023

Arising Out of PS. Case No.-121 Year-2020 Thana- RAJAON District- Banka

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1. Ganesh Sharma Son Of Late Ram Sharma Resident Of Village- Madhay, Ps-
Rajoun, Dist- Banka
 2. Umesh Sharma Son Of Late Ram Sharma Resident Of Village- Madhay, Ps-
Rajoun, Dist- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-08-2023 Heard Mr. Ashok Kumar Singh, learned counsel

appearing on behalf of the petitioners and learned Additional

Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection
with Rajoun P.S. Case No. 121 of 2020, registered for the
offences punishable under Sections 341,323,337,504,307/34 of
the Indian Penal Code.

3. Allegedly, on account of quarrel among the children
of the persons of both the sides, the petitioners and others
assaulted the nephew of the informant and when protest was
made he was also assaulted by means of *lathi* and bricks due to
which he sustained injury.



4. Learned counsel appearing on behalf of the petitioners submits that from narrations of the FIR, it appears that in order to wreck vengeance false allegation has been levelled against all the family members and moreover the genesis of lodging of the FIR is said to be a quarrel among the children. He further submits that there is counter version of the present case being Rajoun P.S. Case No. 122 of 2020. He next submits that both the parties are their own *gotias*, apart from the fact that the petitioners are persons of fair antecedent and other co-accused having identical allegation have been allowed the privilege of anticipatory bail by the learned coordinate Bench of this Court in Cr. Misc. No. 10018 of 2022 vide order dated 11.08.2022.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of accusation and the fact that others co-accused having similar allegation have been allowed the anticipatory bail, coupled with the fair antecedent of the petitioners. let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 121 of 2020, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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