

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55562 of 2023

Arising Out of PS. Case No.-217 Year-2019 Thana- UCHKAGAON District- Gopalganj

1. Chandan Sharma Son Of Awadh Kishore Sharma Resident Of Village-Sankhe Ramdas, Ps- Uchkagaon, District- Gopalganj
2. Kundan Sharma Son Of Awadhesh Kishore Sharma Resident Of Village-Sankhe Ramdas, Ps- Uchkagaon, District- Gopalganj
3. Awadh Kishore Sharma Son Of Late Kailash Sharma Resident Of Village-Sankhe Ramdas, Ps- Uchkagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 279, 337, 427, 379, 308, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of occurrence while the informant and his brother were going to Gopalganj by motorcycle to make demand draft for college fee, when they reached at Harpur Bazar, petitioners in a pick-up van driven by petitioner no. 1 dashed the motorcycle of



informant. Thereafter, petitioners having variously armed encircle them and on the order of petitioner no. 3, petitioner no. 2 inflicted repeated knife blows on the brother of informant, as a result of which he sustained injuries on his right hand and right shoulder. Thereafter, petitioners assaulted the informant and his brother with fist and kicks and hockey and petitioner no. 3 snatched cash of Rs. 60,000/- and co-accused Santlal Sharma snatched golden chain from possession of his brother.

4. It is submitted by the counsel for petitioners that petitioners have been falsely implicated in this case. The police after investigation submitted final form against Sant Lal Sharma (now expired), and submitted chargesheet against petitioner nos. 2 and 3, but differing with the same, the court below took cognizance against petitioners under Sections 341, 323, 308, 504, 506/34 of the Indian Penal Code. It is further submitted that injury report vide Annexure-4 did not support the prosecution case. Petitioners claim clean antecedents.

5. learned APP for the State vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the petitioners above-named, be released on bail, in the event of their arrest or surrender before the 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 Additional Chief Judicial Magistrate IX, Gopalganj in connection with Uchakagaon P.S. Case No. 217 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

vinita/-

U		T	
---	--	---	--

