

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63122 of 2023

Arising Out of PS. Case No.-55 Year-2020 Thana- ALIPUR District- Gaya

1. DEVENDRA SHARMA Son of Shaligram Sharma Resident of village - Kespa, P.S. - Alipur, Distt. - Gaya
2. Shiv Shambhu Son of Devendra Sharma Resident of village - Kespa, P.S. - Alipur, Distt. - Gaya
3. Shambhu Kumar Son of Devendra Sharma Resident of village - Kespa, P.S. - Alipur, Distt. - Gaya
4. Shatrudhan Sharma @ Abhimanyu Sharma Son of Arjun Sharma @ Tarkeshwar Sharma Resident of village - Kespa, P.S. - Alipur, Distt. - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Alipur P.S. Case No. 55 of 2020 dated 25.08.2020 registered for the offences punishable u/ss 147, 341, 323, 354, 379 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have forcibly entered the house of the informant and the petitioner Shatrudhan Sharma took her ornaments and fled away. On being raised objection by



the informant, the petitioner Devendra Sharma caught hold of her hair and tried to outrage her modesty and also fired. When the informant's son came to his house then the petitioners on the gun point threatened to kill him. It is further alleged that the dispute arose due to installation work of pipe of *Nal Jal Yojna*.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is land dispute between the parties. It is further submitted that there is no eye witness to the alleged occurrence. Learned counsel has further submitted that the petitioners did not molest the informant. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Gaya in connection with Alipur P.S. Case No. 55 of 2020, subject to conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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