

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63329 of 2023

Arising Out of PS. Case No.-143 Year-2020 Thana- AMARPUR District- Banka

Mithilesh Kumar Sharma, Son of Abadh Kishore Sharma @ Awadh Kishor Sharma, R/o vill - Mahuata, P.S. - Amarpur, Dist. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case instituted for the offences under Sections 147, 148, 149, 307, 323, 338, 379, 427, 447 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation, the informant alleged that this petitioner along with other co-accused persons equipped with weapons came at the door of his house. It is further alleged that the said accused persons damaged the shade of his *stable* and boundary wall of his house. It is further alleged that these accused persons started firing indiscriminately upon his house, owing to which he and his



brother sustained gunshot injuries on different parts of the body. It is further alleged that these accused persons threw bricks and stones upon his house to obstruct him from coming out of his house and due to which his house got damaged.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.03.2023. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries are on non-vital parts of the body of the injured persons. The nature of injuries is said to be simple. Hence, Section 307 of IPC is not made out in this case.

5. On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of the Court below/concerned Court in
connection with Amarpur P.S. Case No. 143 of 2020.

(Sudhir Singh, J)

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