

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59506 of 2022

Arising Out of PS. Case No.-134 Year-2021 Thana- RAFIGANJ District- Aurangabad

=====

ARUN SHARMA @ ARUN KUMAR SHARMA Son of Shiv Jatan Sharma
R/V- Thakurar, P.S- Rafiganj, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sumit Kumar Jha

For the Opposite Party/s : Mr.Rina Sinha

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 307, 504, 506 and later on added section 302 of the Indian Penal Code.

As per the prosecution story, the informant's son Pawan Sharma had gone to attend a Tilak Ceremony, where he was brutally assaulted by the accused persons including the petitioner herein. After knowing about this, the informant also went there and on protested the accused persons along with petitioner assaulted him and his son due to which his son Pawan Sharma succumbed to injury during treatment.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The informant and the petitioner are agnates and there is a dispute with regard to partition of share since long between them due to which the petitioner has falsely been implicated in this present case. From perusal of F.I.R., it appears that there is general and omnibus allegation against the petitioner. There is no specific allegation of assault or overt act against the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, similarly situated co-accused persons have already been granted bail by a coordinate bench of this court vide order dated 12.5.2022 in Cr. Misc. No. 64804 of 2021 and 65653 of 2021. The petitioner is languishing in judicial custody since 26.5.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rafiganj P.S. Case No. 134 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Aurangabad.

(Sunil Kumar Panwar, J)

amandeep/-

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

