

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66466 of 2022

Arising Out of PS. Case No.-283 Year-2022 Thana- CHANPATIA District- West Champaran

Biraj Sharma S/O Late Laxman Sharma @ Lachhuman Sharma R/O Village-
Jinwaliya, Ward No. 3, P.S.- Chanpatia, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Advocate along with Mr. Akhileshwar Kumar Shrivastava, Advocate Mr. Amrit Kirti, Advocate
For the Opposite Party/s	:	Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard Mr. Rajendra Narain, learned senior counsel assisted by Mr. Akhileshwar Kumar Shrivastava, learned counsel for the petitioner and Mr. Narsingh Tanti, learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 323, 324, 325, 341, 307, 379, 354(B), 448 and 34 of the Indian Penal Code.

The allegation against the petitioner and 13 others as named in FIR, is of assaulting the informant, his wife and his brother by means of iron rod, *farsa* and *lathi*, due to which he sustained head and hand injury. While assaulting and dragging his wife, due to which her sari was opened and she became half naked and thereafter they also looted ornaments of Rs.



1,00,000/- clothes and other articles.

Learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that there is a case and counter case between the parties and both sides have sustained grievous injury. The fact is also clear from the Annexure-2 series. He further submits that the petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Chanpatia P.S. Case No. 283 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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