

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71010 of 2023

Arising Out of PS. Case No.-24 Year-2020 Thana- AWTARNAGAR District- Saran

Chandrama Sharma @ Chandrama, Son Of Diplal Sharma Vill- Rahimapur,
P.S.- Awtarnagar, District -SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Awtarnagar P.S. Case No. 24 of 2020, lodged on 28.01.2020
under Sections 341, 323, 379, 326, 504, 354 and 34 of the
Indian Penal Code 1860.

3. As per the prosecution case, the FIR has been
lodged against 4 named accused persons including the present
petitioner and as per the FIR, the co-accused person Bhim
Sharma had snatched Rs. 50,000/- from informants' pocket and
all the accused persons assaulted the informant by iron rod and
lathi.

4. Learned counsel for the petitioner submits that this
case is an unfortunate occurrence as the informant and the



petitioner are full brothers and because of a pity family dispute, this matter has arisen which resulted into assault to each other and filing the present case. Counsel also submits that due to information of the well wishers, an application has been filed before the District and Sessions Judge, Chapra in B.P. No. 1787 of 2023 (annexed as Annexure-3) that they are ready to resolve the matter among the family himself. He further submits that in the background of land dispute, the present case has been lodged. He further submits that the antecedent of the petitioner is clean and he is in custody since 09.06.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is head injury in this case and he also accepted that vide Annexure-3, the parties tried to resolve their disputes.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Saran at Chapra in connection with Awtarnagar P.S. Case No. 24 of 2020, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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