

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16423 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- HIRAMMA P.S. District- Sheohar

1. Meghnath Sharma Son of Vindeshwari Sharma Resident of vill.-Madhopur Chhata, P.S.-Hiramma, Distt.-Sheohar
2. Anmol Kumar Son of Meghnath Sharma Resident of vill.-Madhopur Chhata, P.S.-Hiramma, Distt.-Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Alok, Advocate Mr. Hans Lal Kumar, Advocate
For the Opposite Party/s	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Mahendar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-03-2024 Heard Mr. Alok Kumar Alok, learned counsel for the petitioners and learned APP for the State and Mr. Mahendar Thakur, learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in connection with Hiramma P.S. Case No. 101/2023 registered under Sections 447, 341, 323, 324, 307, 354, 379, 504 and 506/34 of the Indian Penal Code lodged on 25.11.2023 by the informant, Madhurani Kumari.

3. As per the prosecution story, the informant alleged that the accused persons came to her door and due to the land dispute, there was a tension after which they assaulted the lady. The allegation against Meghnath Sharma is of assaulting the



cousin brother Ranjit Sharma on his head whereas allegation against Anmol Kumar is of assaulting the informant on her head. They were shifted to the hospital followed by FIR.

4. Learned counsel for the petitioner submits that the allegation is against Meghnath Sharma and Anmol Kumar of assaulting on the head of Ranjit Sharma and the informant herein. Though allegation is there, the same has been found to be simple in nature and the document in this regard is on record, none of them have criminal antecedent.

5. Further the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs. 10,000/- each totalling Rs. 20,000/- through two Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant as also Ranjit Sharma after checking the credentials.

6. Learned counsel for the informant opposes the prayer for bail stating that they have tried to not only grab the land, a lady has been assaulted. Though it is unfortunate for such a land dispute they even assaulted the lady, considering the



fact that the injuries have been found to be simple in nature and both of them do not have criminal antecedent, this Court is inclined to grant him privilege of anticipatory bail.

7. Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sheohar in connection with Hirrama P.S. Case No. 101 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

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

(ii) the petitioners 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 their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;



(iv) the petitioners 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.

(Rajiv Roy, J)

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