

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13014 of 2024

Arising Out of PS. Case No.-300 Year-2023 Thana- KAKO District- Jehanabad

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1. Rajeshwar Sharma @ Bholu Sharma SON OF LATE BINDESHWARI SHARMA R/O VILLAGE- BADHAUNA, P.S.- KAKO (BHELWAR O.P.), DISTRICT- JEHANABAD
 2. SANJAY SHARMA @ SANJAY KUMAR SON OF RAJNANDAN SHARMA R/O VILLAGE- BADHAUNA, P.S.- KAKO (BHELWAR O.P.), DISTRICT- JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
		Mr. Rakesh Kumar Sharma
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 1. Heard learned Senior counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 323, 307, 379, 504, 506, 341 and 342 of the Indian Penal Code.

3. Learned Senior counsel for the petitioners, Sri Ramakant Sharma, submits that petitioner no. 1 has antecedent of one case but he was acquitted and petitioner no. 2 is a person with clean antecedent. It is next submitted that the informant alleges that he was assaulted by the accused persons including the petitioners on account of which he felt unconscious and was



taken to PMCH.

4. Learned counsel for the petitioners submits that from perusal of *Fardbayan* of the informant, it would manifest that the same was recorded on 24.08.2023 but then the date of occurrence is not disclosed. It is next submitted that the same has been done with a purpose for the reason that the petitioner no. 1 herein on 18.08.2023 had instituted Kako P.S. Case No. 283 of 2023 (Annexure-2) against the present informant under Sections 454, 380 and 511 of the IPC. It is next submitted that the informant of the present case on 18.08.2023 was handed over to the police and he was sent to judicial custody and remained in judicial custody for some time, but after he was released on bail, it appears that he falsely implicated the petitioners as they had earlier instituted Kako P.S. Case No. 283 of 2023 against him.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kako (Bhelwar O.P.) P.S. Case No. 300 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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