

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18352 of 2024

Arising Out of PS. Case No.-287 Year-2023 Thana- ARA NAWADA District- Bhojpur

1. Ram Kumar Sharma S/o Late Pashuram Sharma Resident of Vill.- Chhotiline Jhoparpatti, Anaith, P.S.- Ara Nawada, Dist.- Bhojpur
2. Mohan Sharma S/o Ram Kumar Sharma Resident of Vill.- Chhotiline Jhoparpatti, Anaith, P.S.- Ara Nawada, Dist.- Bhojpur
3. Manoj Sharma S/o Ram Kumar Sharma Resident of Vill.- Chhotiline Jhoparpatti, Anaith, P.S.- Ara Nawada, Dist.- Bhojpur
4. Jogi Sharma @ Jai Kumar Sharma S/o Somaru Sharma Resident of Vill.- Bhimwake Mathiya, P.S.- Jagdishpur, Dist.- Bhojpur
5. Jagarnath Sharma @ Jagarnath Prasad S/o Late Sheopujan Sharma Resident of Vill.- Gajrajganj P.S.- Udwantnagar, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 08-05-2024 Learned counsel for the petitioners seeks permission to withdraw the present Cr. Misc. Application for the petitioner no.2, namely, Mohan Sharma.

2. Permission granted.

3. Accordingly, the present Cr. Misc. Application is dismissed as withdrawn for petitioner no.2.

4. Heard learned counsel for the petitioner nos.1, 3, 4 & 5 and learned A.P.P. for the State.



5. The petitioner nos.1, 3, 4 & 5 apprehend their arrest in connection with Ara Nawada P.S. Case No.287 of 2023 instituted under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

6. As per the prosecution case, all the accused persons including the petitioners have assaulted the informant by means of *lathi* and iron rod. Specific allegation is against co-accused Satrugan Sharma and Mohan Sharma that they assaulted the informant by iron rod on his head due to which he sustained injury.

7. Learned counsel for the petitioner nos.1, 3, 4 & 5 submits that the allegation against the petitioners are general and omnibus and the specific allegation is made against co-accused Satrugan Sharma and Mohan Sharma. He further submits that prosecution party had gone to give threatening on the door of petitioners and during talk this occurrence took place due to which there is case and counter case between the parties. Learned counsel submits that petitioner nos.1, 3, 4 & 5 have no criminal antecedent and they undertakes to cooperate in the investigation.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail.



9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner nos.1, 3, 4 & 5 be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned C.J.M., Bhojpur at Ara in connection with Ara Nawada P.S. Case No.287 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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