

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24241 of 2024

Arising Out of PS. Case No.-145 Year-2023 Thana- KHODAWANDPUR District- Begusarai

1. Ram Vilash Sharma, S/o Poddar Sharma, R/o vill - Aijani, ward no. 07, P.S. - Khodawandpur (Chhaurahi O.P.), Distt. - Begusarai
2. Vinod Sharma, S/o Ram Vilash Sharma, R/o vill - Aijani, ward no. 07, P.S. - Khodawandpur (Chhaurahi O.P.), Distt. - Begusarai
3. Sanjeet Sharma, S/o Ram Vilash Sharma, R/o vill - Aijani, ward no. 07, P.S. - Khodawandpur (Chhaurahi O.P.), Distt. - Begusarai
4. Saroj Sharma, S/o Ram Vilash Sharma, R/o vill - Aijani, ward no. 07, P.S. - Khodawandpur (Chhaurahi O.P.), Distt. - Begusarai
5. Ranjeet Sharma, S/o Ram Vilash Sharma, R/o vill - Aijani, ward no. 07, P.S. - Khodawandpur (Chhaurahi O.P.), Distt. - Begusarai
6. Manoj Sharma, S/o Ram Vilash Sharma, R/o vill - Aijani, ward no. 07, P.S. - Khodawandpur (Chhaurahi O.P.), Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rananjay Kumar, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No. 145 of 2023, registered for the offences under Sections 341, 323, 308, 354(B), 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, while the informant was getting constructed a toilet on her land, it was opposed by the



petitioners and other co-accused persons who forcibly entered into the house of the informant. Thereafter, they assaulted the informant and his family members causing injuries to them. They also snatched a gold chain from the daughter-in-law of the informant.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Earlier for the same occurrence, informant has lodged Khodawandpur P.S. Case No. 217 of 2018 against three of the petitioners with almost similar allegation. The real fact of the case is that the informant and others entered into the house of the petitioners and brutally assaulted them and snatched Rs. 40,000/- and mobile phone from petitioner no.1 for which Khodawandpur P.S. Case No. 148 of 2023 has been lodged by petitioner no.1 against the informant side. Learned counsel further submits that petitioners and the informant are close agnates and there is land dispute between them. Injury reports of the victims suggest the injuries are simple in nature. Sections 379, 354(B) and 308 IPC have been added only to make the case graver. Injury report of the victims does not show any serious injury. The injuries are merely swelling, abrasion, bruises and only one lacerated wound



has been found. Petitioner nos.2, 4 and 5 are having clean antecedent whereas petitioner nos. 1, 3 and 6 are having antecedent of one case which was lodged by the same informant of the present case.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and further considering the non-serious nature of injuries coupled with possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, Begusarai/concerned court in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No. 145 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.



(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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