

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30575 of 2024

Arising Out of PS. Case No.-331 Year-2023 Thana- SINGHESHWAR District- Madhepura

1. Bisheshwar Sharma @ Visheshar Sharma Son Of Late Tanuk Sharma Resident Of Village-Bhawanipur, Ward No.-07, P.S- Singheshwar , District-Madhepura.
2. Gyansagar Son Of Ful Kumar Sharma Resident Of Village-Bhawanipur, Ward No.-07, P.S- Singheshwar , District-Madhepura.
3. Mantu Sharma @ Mantakr Sharma @ Manta Kumar Sharma Son Of Ful Kumar Sharma Resident Of Village-Bhawanipur, Ward No.-07, P.S- Singheshwar , District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-07-2024 Heard Mr. (Dr.) Sanjay Kumar Singh, the learned

counsel for the petitioners and Mr. Anil Kumar, the learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in

connection with Singheshwar PS Case No. 331 of 2023, FIR

dated 12.11.2023, registered for the offences punishable under

Sections 341, 323, 324, 307, 379, 504 and 506 read with Section

34 of the Indian Penal Code.

3. According to the prosecution case, the co-accused

persons, variously armed came to the land of informant and

forcibly started ploughing it and upon her protest they



threatened her with dire consequences. It is further alleged that informant's *Bhaisur* and nephew opposed the same, the co-accused persons also assaulted them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case due to admitted land dispute between the parties and there is case and counter case between the parties. He further submits that there is allegation against the petitioners that they have assaulted to the family member of the informant, and as per allegation in the FIR, petitioner no. 1 is the order giver and petitioner no. 2 has assaulted to Abhimanyu Kumar and petitioner no. 3 has assaulted to Yogendra Sharma, although they have received injury, but the injury report of the Yogendra Sharma suggests that injury is simple in nature caused by hard and blunt object.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner have clean antecedent and injury inflicted upon the injured person is found to be simple in nature, let the petitioners, above-named, in the event of their



arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura, where the case is pending in connection with **Singheshwar PS Case No. 331 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the learned trial Court shall



take step for cancellation of bail bond of the petitioners.
However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Shahnawaz/-

U		T	
---	--	---	--

