

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39336 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- MANSI District- Khagaria

Vakil Sharma, Son of Late Anuplal Sharma, Resident Of Village- Amani, P.S.-
Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S. D. Sanjay, Sr. Advocate Mr. Lokesh Kumar, Advocate
For the State	:	Mr. Madan Kumar, Advocate
For the Informant	:	Mr. Mrityunjay Kumar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-05-2024 Heard learned Sr. Counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mansi P.S. Case No. 372 of 2023 lodged on 03.12.2023 under
Sections 147, 149, 341, 323, 307 and 302 of the Indian Penal
Code.

3. As per the prosecution case, the FIR has been
lodged against eight named accused persons, including the
present petitioner alleging therein that all the accused persons
came variously armed and started assaulting the husband of the
informant. It is specifically alleged that co-accused Mithilish
Sharma assaulted on the head of the informant with 'Samath', as
a result of which, he got injured and died in course of treatment.



4. Learned Sr. Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that from the content of the FIR, it become crystal clear that the informant and the accused persons are resident of the same village and they are relative also. Moreover, the accusation is omnibus and general against all the accused persons including the petitioner. The specific allegation is levelled in the FIR against co-accused Mithilish Sharma. The petitioner is in custody since 03.12.2023 having no criminal antecedent and the chargesheet has already been filed in this Case.

5. Learned counsel for the State opposes the prayer for bail and submits that from the allegation made in the FIR, it transpires that there is no specific allegation against the present petitioner.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that from the allegation made in the FIR, it is crystal clear that all the accused persons in connivance with each other reached at the house of the informant and assaulted her husband which resulted into his death.

7. In the present facts and circumstances of this case



and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria , subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J.)

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