

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48900 of 2024

Arising Out of PS. Case No.-70 Year-2023 Thana- NIMACHANDPURA District- Begusarai

Banti Sharma @ Ravi Kumar Son of Shiv Kumar Sharma @ Shiv Sharma
R/O Vill.- Ajhaur, P.S.- Nimachandpura, Dist.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-10-2024 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nimachandpura P.S. Case No. 70 of 2023 dated 15.05.2023 registered for the offences punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and is in custody since 28.03.2024.

4. The prosecution case, in short, is that the informant alleges that the petitioner in a drunken state along with named accused persons came and assaulted Manoj by brick causing injury on his eyes, thereafter family members of the petitioner



assaulted Manoj by rod and brick, next alleges that Shiv Sharma assaulted Pappu by Khanti causing injury on head while Archana assaulted Subodh by rod on his back and Bandana assaulted Rinku, thereafter villagers gathered and Manoj were sent to hospital.

5. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the instant case by the informant. It is further submitted that on account of dispute relating to construction of house, an altercation has taken place in which both sides have assaulted each other. It is further submitted that from side of the petitioner Nimachandpura P.S. Case No. 71 of 2023 was instituted against the informant and his side. It is also submitted that no doubt the injury suffered by Manoj is grievous, but then petitioner has remained in custody for more than six months. It is also submitted that charge-sheet has been submitted and the petitioner will not abscond rather will co-operate in the trial to prove his innocence.

6. Learned A.P.P. for the State vehemently oppose the prayer for regular bail of the petitioner.

7. Considering the submissions, the petitioner, above named, is directed to be released on bail on furnishing bail



bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nimachanpura P.S. Case No. 70 of 2023.

8. However, it is made clear that if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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