

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43003 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- SINGHESHWAR District- Madhepura

1. Raben Sharma @ Rabindra Sharma S/O Fulchandra Sharma R/O Village- Bhawanipur, Ward No.07, Police Station- Singheshwar, Distt.- Madhepura.
2. Dharmendra Sharma, S/O Fulchandra Sharma R/O Village- Bhawanipur, Ward No.07, Police Station- Singheshwar, Distt.- Madhepura.
3. Vivek Sharma @ Babu Saheb @ Viveka Sharma S/O Chandeshwari Sharma R/O Village- Bhawanipur, Ward No.07, Police Station- Singheshwar, Distt.- Madhepura.
4. Pradip Sharma @ Sitaram Sharma S/O Late Kamleshwari Sharma R/O Village- Bhawanipur, Ward No.07, Police Station- Singheshwar, Distt.- Madhepura.
5. Satish Sharma @ Satish Kumar @ Satish Kumar Sharma S/O Surendra Sharma R/O Village- Bhawanipur, Ward No.07, Police Station- Singheshwar, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kumari Rashmi, Advocate Ms. Bhagyashree Raj, Advocate
For the State	:	Ms. Rina Sinha, APP
For the Informant	:	Mr. Subesh Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Singheshwar P.S. Case No. 330 of 2023, instituted under
Sections 341, 323, 324, 307, 384, 504, 506, 34 of the Indian
Penal Code.

3. As per the prosecution case, on the date of



occurrence petitioners along with F.I.R. named accused persons variously armed came at the field of informant and started abusing and assaulting the informant and his family members. Petitioner No. 1 assaulted with *Farsa* to Pramod Sharma, elder brother of the informant causing injury on his head. Petitioner No. 2 assaulted with *Dabia* causing injury on the head of informant.

4. Learned counsel for the petitioners submits that allegation against Petitioner No. 2 is that he has caused injury by *Dabia* on the head of Mantu Sharma, however injury report of Mantu Sharma shows that the injury is simple in nature caused by hard and blunt object. There is no specific allegation against Petitioner Nos. 3 to 5. There is case and counter case between the parties in which both the parties have got injury. Petitioners have no criminal antecedents. There is land dispute between the parties.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently oppose the prayer for anticipatory bail and submit that as per injury report Pramod Sharma has sustained grievous injury.

6. Considering the facts and circumstances of the case and submission of learned counsels for the parties and the fact



that there is direct allegation against Petitioner No. 1 that he has inflicted *Farsa* blow on the head of Pramod Sharma which is grievous in nature, as per injury report, prayer for anticipatory bail of Petitioner No. 1, Raben Sharma @ Rabindra Sharma is rejected.

7. So far as Petitioner Nos. 2 to 5 is concerned, there is allegation against Petitioner No. 2 is that he has caused injury by *Dabia* on the head of Mantu Sharma, which is simple in nature and there is no specific allegation against Petitioner Nos. 3 to 5, let Petitioner Nos. 2 to 5, in the event of arrest or surrender before the Court below within six weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Singheshwar P.S. Case No. 330 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

rakhi/-

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

