

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47590 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- SIKARPUR District- West Champaran

1. LAXMAN SHARMA SON OF SRI RAGHUNATH SHARMA R/O VILLAGE- RAMPUR SAKRAUL, P.S.- SHIKARPUR, DISTT.- WEST CHAMPARAN
2. SHATRUDHAN SHAMRA SON OF SRI RAGHUNATH SHARMA R/O VILLAGE- RAMPUR SAKRAUL, P.S.- SHIKARPUR, DISTT.- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 03-10-2024 1. Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of petitioner no. 1, namely, Laxman Sharma.
2. Permission is accorded.
3. Accordingly, the prayer for anticipatory bail of petitioner no. 1 is dismissed as withdrawn.
4. Heard learned counsel for the petitioner no. 2, Mr. Chandra Bhushan Prasad learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
5. The petitioner no. 2 apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354B, 379, 504 and 506 of the



Indian Penal Code.

6. Learned counsel for the petitioner no. 2, at the outset, submits that in the impugned order it has wrongly been recorded that petitioner no. 2 has antecedent of one case when he is a person with clean antecedent.

7. The informant alleges that he along with his father had gone to meet the Sarpanch on 05.01.2024 on the ground that his co-villager Laxman Sharma abused them on false pretext that they had burnt the sugarcane. It is further alleged that Laxman Sharma along with his family members came and started abusing the informant and his father, hence, they left for home when Laxman Sharma along with six named accused persons including petitioner no. 2 intercepted them and started abusing and assaulting. It is next alleged that Virendra caught the informant from behind and Laxman assaulted him by farsa causing injury on the head while Shatrudhan (petitioner no. 2) assaulted by Dab causing injury on the neck of the informant, thereafter Om Prakash assaulted his father by an iron rod causing fracture of the right hand. It is next alleged that Moham, Laxman and Ramashish assaulted the wife of the informant, torn her blouse and Saree and Kanti Devi snatched his chain, thereafter, he was taken to Narkatiyaganj PHC from where he



was referred to Bettiah for better treatment.

8. Learned counsel for the petitioner no. 2 submits that petitioner no. 2 has been falsely implicated in the instant case by the informant. It is further submitted that on account of dispute relating to land an altercation had taken place in which both sides assaulted each other. It is next submitted that Sikarpur P.S. Case No. 16 of 2024 has been instituted by petitioner no. 2 (Shatrudhan Sharma) against the informant and his side. It is also submitted that as far as petitioner no. 2 is concerned, the allegation against him is of assaulting the informant by Dab while Laxman Sharma assaulted by farsa. It is next submitted that the injury suffered by the injured on head is grievous in nature but then petitioner no. 2 is alleged to have assaulted him by Dab.

9. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner no. 2.

10. Considering the submissions made by the learned counsel for the petitioner no. 2, let the petitioner no. 2 above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shikarpur P.S. Case No. 29 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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