

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47699 of 2024

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

1. Ramashish Sharma @ Ramashish Kumar Son of Sri Laxman Sharma Resident of village - Rampur Sakraul, P.S.- Shikarpur, District - West Champaran.
2. Omprakash Sharma Son of Sri Ramvilash Sharma Resident of village - Rampur Sakraul, P.S.- Shikarpur, District - 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. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 03-10-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their 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.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.
4. 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 five named accused persons including petitioners 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 assaulted by Dab causing injury on the neck of the informant, thereafter Om Prakash (petitioner no. 2) assaulted his father by an iron rod causing fracture of the right hand. It is next alleged that Moham, Laxman and Ramashish (petitioner no. 1) 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.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case on account of dispute relating to land. It is further submitted that from the side of the petitioners Sikarpur P.S. Case No. 16 of 2024 has been instituted by Shatrudhan Sharma against the informant and his side. It is next submitted that petitioner no. 2 is alleged to have assaulted the father of the informant by an iron rod causing fracture of his right hand but then it is



submitted that the injury has been found to be simple as such the allegation that on account of assault the hand of the father of the informant got fracture is belied. It is also submitted that no specific allegation is alleged against petitioner no. 1.

6. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their 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) each 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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