

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47961 of 2024

Arising Out of PS. Case No.-48 Year-2023 Thana- ISUAPUR District- Saran

1. Ranjan Sharma @ Ranjan Kumar Sharma
2. Ajay Sharma
Both Sons of Baleshwar Sharma
3. Chandan Sharma
4. Bittu Sharma @ Bittu Kumar.
Petitioner Nos.3 and 4 are Sons of Rameshwar Sharma
5. Sima Devi @ Ishmita Devi W/O Satendra Sharma
6. Nitu Devi W/O Ajay Sharma.
All R/O Village-Manpursauli, P.S.-Ishuapur, District-Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-07-2024 Heard Mr.Sanjay Kumar Singh, learned counsel for the petitioners and Mr.Sanjay Kumar Tiwary, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Ishuapur P.S.Case No.48 of 2023, FIR dated 24.02.2023 registered for the offences punishable under Sections 149,323,324,341,427,307,380,504,506 of the Indian Penal Code.

3. Allegation against the petitioners is that they along with others have assaulted the informant, his father and his



family members with knife, brick, lathi and danda and due to which three persons sustained injured.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 07.06.2021 but the informant/complainant has filed the complaint petition on 23.07.2021 and on the basis of the aforesaid complaint petition, an FIR has been instituted on 24.02.2023 and petitioners and informant are agnates to each other and there is no medical evidence which suggests that the informant's side have received any injury. Further submits that the co-accused persons, namely, Baleshwar Sharma and Rameshwar Sharma have been granted privilege of anticipatory bail by this Court vide order dated 18.01.2024 passed in Cr.Misc.No.84431 of 2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and similarly situated co-accused persons have been granted privilege of anticipatory bail by this Court, let the



petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Ishuapur P.S. Case No.48 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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