

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53661 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- KARAKAT District- Rohtas

1. Uma Shankar Sharma @ Mangru S/O Nand Kishor Sharma Resident Of Village Parsar Police Station Karakat Gorari District Rohtas At Sasaram
2. Gautam Sharma S/O Late Krishna Sharma Resident Of Village Parsar Police Station Karakat Gorari District Rohtas At Sasaram
3. Santosh Sharma S/O Ramashankar Sharma Resident Of Village Parsar Police Station Karakat Gorari District Rohtas At Sasaram
4. Akash Sharma @ Akash Kumar Sharma S/O Late Krishna Sharma Resident Of Village Parsar Police Station Karakat Gorari District Rohtas At Sasaram
5. Ramashankar Sharma S/O Late Faudar Sharma Resident Of Village Parsar Police Station Karakat Gorari District Rohtas At Sasaram
6. Mantosh Sharma S/O Ramashankar Sharma Resident Of Village Parsar Police Station Karakat Gorari District Rohtas At Sasaram
7. Nand Kishor Sharma @ Nand Keshwar Sharma S/O Late Shivpujan Sharma Resident Of Village Parsar Police Station Karakat Gorari District Rohtas At Sasaram
8. Arjun Sharma S/O Shri Ram Sharma Resident Of Village Parsar Police Station Karakat Gorari District Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raghunandan Kumar Singh, Advocate
For the State	:	Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Raghunandan Kumar Singh, learned counsel for the petitioners and Mr. Dinesh Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Karakat P.S. Case No. 161 of 2024, F.I.R. dated 26.03.2024 for the offences punishable under Sections 341, 323,



324, 307, 354, 506 and 34 of the Indian Penal Code.

3. The prosecution case in brief is that one Pawan Kumar Sharma, Son of Late Devpujan Sharma Village- Parsar, Police Station- Karakat (Gorari), District-Rohtas at Sasaram, submitted a written report before the S.H.O. of Sanjhauli Police station on 26/03/2024 at 17:10 Hours alleging therein inter alia that on 26/03/2024 at around 01:35 P.M., when my brother Raj Kishore Sharma went out to visit his farm, he was ambushed from the east near the canal bridge on the way with an iron rod and a sharp weapon. Armed with the intention of killing him, he abused and hit him on the head. Due to which my head got injured, when I reached there after hearing the noise, the accused hit my head with an iron rod due to which my head got injured, when my sister came there, on the instructions of Ramashankar Sharma, Akash Sharma and Santosh Sharma stripped her and threatened to kill them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that although there is specific allegation against the petitioner no.2 that he has assaulted to the informant. He further submits that although the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature and there



is no specific allegation of any assault or overt act against other accused persons.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, petitioners having clean antecedent and the injury inflicted upon the informant is simple in nature, let the petitioners, above named, in the event of 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 bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Bikramganj, Rohtas in connection with Karakat P.S. Case No. 161 of 2024, 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 his absence on two consecutive dates without sufficient reason, his bail bond 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 antecedent, the court below shall take step for cancellation of bail bonds 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)

ajay/-

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

