

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60459 of 2023

Arising Out of PS. Case No.-382 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. ABHISHEK SHARMA SON OF DUDHNATH SHARMA VILLAGE-
SAREYA WARD NO 1, PS AND PO- GOPALGANJ, DIST- GOPALGANJ
 2. RITIK SHARMA SON OF DUDH NATH SHARMA VILLAGE- SAREYA
WARD NO 1, PS AND PO- GOPALGANJ, DIST- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adesh Raj

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 29-02-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with
Gopalganj P.S. Case No. 382 of 2023 dated 21.05.2023
registered under Sections 341, 323, 324, 307, 379, 506 / 34 of
the I.P.C.

3. As per the First Information Report on 20.05.2023 in the
night while the informant was returning back along with his
friend from a marriage ceremony, they were accosted by the
petitioners and others. The accused persons told the informant
and his friend to part with their money failing which they would
be killed and when the informant refused to follow the diktat,
the petitioner no. 1 assaulted the informant with knife on his



head and assault was further repeated and when the friend of the informant intervened, the co-accused / Nikhil Patel assaulted the informant's friend on his head by knife with intention to kill. The petitioner no. 2 snatched a sum of Rs. 8400/- from the informant.

4. Learned counsel for the petitioners submits that both the parties are residents of same village and due to previous dispute between them the present F.I.R. has been lodged. He further submits that allegation in the First Information Report is that the petitioner no. -1 assaulted the informant on his head by means of knife, whereas, the injury report says that the victim sustained simple injury caused by hard and blunt substance. The allegation against the petitioner no. 2 along with others is of snatching Rs. 8400/-, which is not correct and is concocted.

5. Regard being had to the submission made by the parties, taking into consideration the fact that injury caused to the informant is not corroborated by medical report and both the parties are resident of the same village , as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Gopalganj in connection with Gopalganj P.S. Case No. 382 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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