

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68844 of 2024

Arising Out of PS. Case No.-742 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Shankar Sharma S/o Late Sahdi Sharma @ Late Sahdev Sharma Resident of
village- Korlahi, Ward no 44, PS- Saharsa Sadar, District- Saharasa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-10-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Saharsa Sadar P.S. Case No.742 of 2023 lodged dated
18.10.2023 under Sections 147, 148, 149, 341, 323, 307, 354B,
380, 504 and 506 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against 13 named accused persons including the
petitioner. The specific allegation against the petitioner is that he
had attacked by iron rod on the head and right hand of the
informant. Further allegation is that he had outrage the modesty
of the informant' wife.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits



that injury report has come on the rejection order of the petitioner in which it transpires that the injury has been caused by hard and blunt substance, which is simple in nature.

5. Learned Counsel further submits that the petitioner and informant are gotiya and they are resident of same village and only due to dirty village politics, this dispute has arisen between them.

6. Learned Counsel further submits that the petitioner's antecedent is not clean. There are 8 criminal cases pending against him in which he is on bail in all cases. He further submits that petitioner is in custody since 27.06.2024.

7. Learned Counsel further submits that there is title partition suit pending between the parties bearing Title Suit No.514 of 2018 which is pending before Sub-Judge-IV, Saharsa.

8. Learned Counsel for the State opposes the prayer for bail and submits that the petitioner's antecedent is not clean and in the F.I.R., it has come that the injury has been caused by the petitioner. Upon perusal of the rejection order, it transpires that the injury caused to the informant is simple in nature.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge, if**



not framed as well as on being satisfied by the trial court that the petitioner is not absconding in any of the cases which are pending against him whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No.742 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

10. The details of the cases which are pending against the petitioner, are as follows:-

- i. Saharsa Sadar P.S. Case No.1315 of 2018.
- ii. Saharsa Sadar P.S. Case No.236 of 2019.
- iii. Saharsa Sadar P.S. Case No.05 of 2019.
- iv. Saharsa Sadar P.S. Case no.473 of 2019.
- v. Saharsa Sadar P.S. Case No.410 of 2020.
- vi. Saharsa Sadar P.S. Case No.545 of 2020.
- vii. Saharsa Sadar P.S. Case No.43 of 2022.
- viii. Saharsa Sadar P.S. Case No.141 of 2022.

(Dr. Anshuman, J.)

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