

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72273 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- BARDAHA District- Araria

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1. Jaymod Sharma @ Jaimod Sharma Son of Nako Sharma Village- Datha Tol, Bardaha, Ward No. 10, PS- Bardaha, Distt- Araria
 2. Kisan Sharma Son of Rudal Sharma Village- Datha Tol, Bardaha, Ward No. 10, PS- Bardaha, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Adv

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-10-2024 Heard the parties.

2. The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 341, 323, 354B, 379, 506, 504, 34 of the Indian Penal Code and Section 37(c) of the Bihar Prohibition and Excise Act, 2018.

3. As per the FIR, petitioners and other co-accused person came on a motorcycle in drunken position and dashed the tempo from which the informant was returning to her house. They also assaulted the informant and her husband and snatched ornaments from her.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioners. There is no recovery of illegal liquor from the possession or house of the petitioners. It is further submitted that the injuries are of simple nature. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the injury is of simple nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Bardaha P.S. Case No.37 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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