

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72528 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- MADHEPURA District- Madhepura

1. Murari Sharma Son of Ramji Sharma R/O Vill.- Manahra, Ward no. 12, P.S. and Dist.- Madhepura.
2. Rakesh Sharma @ Rakesh Kumar Son of Murari Sharma R/O Vill.- Manahra, Ward no. 12, P.S. and Dist.- Madhepura.
3. Smirti Kumari Daughter of Murari Sharma R/O Vill.- Manahra, Ward no. 12, P.S. and Dist.- Madhepura.
4. Ranjana Devi @ Ranjan Devi Wife of Muraria Sharma R/O Vill.- Manahra, Ward no. 12, P.S. and Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 354B, 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners are said to have assaulted the informant. It is further alleged that petitioner no. 1 snatched cash of Rs.5,000/- from the pocket of the husband of the informant and petitioners no. 3 and 4 snatched the gold chain and ring from the informant.



4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners no 1, 3 and 4. He fairly submits that petitioner no. 2 is said to have assaulted the informant on her finger and the injury was found grievous in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners no. 1, 3 and 4, let the above named petitioners no.1, 3 and 4, 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 Madhepura P.S. Case No. 85 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



7. Considering the facts and circumstances of case and the fact that there is specific allegation against petitioner no. 2 of assaulting the informant and the injury was found grievous in nature, I am not inclined to enlarge petitioner no.2 on anticipatory bail. The prayer for anticipatory bail of the petitioner no. 2 is hereby rejected.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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