

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78845 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- BHARGAMA District- Araria

1. Saroj Sharma @ Saroj Chopal Son Of Upendra Sharma R/O Vill - Jai Nagar, Ward No. 3, P.S. - Bhargama, Distt. - Araria
2. Chandan Sharma @ Chandan Chopal Son Of Upendra Sharma R/O Vill - Jai Nagar, Ward No. 3, P.S. - Bhargama, Distt. - Araria
3. Upendra Sharma @ Upendra Das Son Of Late Gonar Sharma R/O Vill - Jai Nagar, Ward No. 3, P.S. - Bhargama, Distt. - Araria
4. Umesh Sharma Son Of Devendra Sharma R/O Vill - Jai Nagar, Ward No. 3, P.S. - Bhargama, Distt. - Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 05-03-2024 1. Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.
2. The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Buxar (Ind.) P.S. Case No. 235 of 2023, registered for the offences punishable under Sections 287/337, 338, 308/34 of the Indian Penal Code.
3. The allegation against all above named petitioners is to open fire upon son of elder brother-in-law (Bhaisur) alongwith other co-accused persons, causing bullet injuries,



where occurrence is alleged to be arises out of previous enmities.

4. Learned counsel appearing on behalf of the petitioners submitted that allegation regarding firing and to cause bullet injuries is specific against co-accused Dilip Sharma, whereas the allegation against petitioners are very much general and omnibus in nature. It is further pointed out that even the allegation against petitioner, namely Upendra Sharma is only limited to give order to the main co-accused Dilip Sharma, against whom the thrust of allegation is available. While concluding the argument, it is submitted that informant appears in inimical term with petitioner out of pending litigation.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances, as the allegation of firing, as to cause bullet injury is specific against co-accused Dilip Sharma, where allegation is general and omnibus *qua* petitioners, accordingly, all above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the



like amount each to the satisfaction of the learned C.J.M.,
Buxar/concerned Court, where the case is pending in connection
with Buxar (Ind.) P.S. Case No. 235 of 2023, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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