

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79862 of 2023

Arising Out of PS. Case No.-26 Year-2022 Thana- CHHATAPUR District- Supaul

-
1. KISHORI SHARMA S/O LATE JANAK SHARMA VILLAGE-
LALGANJ, WARD NO. 8, PS. CHHATAPUR, DIST. SUPAUL
 2. RAJU @ RAJ KUMAR SHARMA @ RAJU KUMAR S/O KISHORI
SHARMA VILLAGE- LALGANJ, WARD NO. 8, PS. CHHATAPUR,
DIST. SUPAUL
 3. SURENDRA SHARMA @ SURENDRA KUMAR @ SULENDRA
KUMAR S/O KISHORI SHARMA VILLAGE- LALGANJ, WARD NO. 8,
PS. CHHATAPUR, DIST. SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti , Advocate
For the Opposite Party/s : Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend their arrest in a case
registered for the offence punishable under sections 147, 148,
149, 342, 447, 448, 323, 307, 324, 302, 379, 504 and 506 of the
Indian Penal Code.

3. As per the prosecution case, these petitioners along
with other co-accused persons armed with various deadly



weapons surrounded the house of the informant and made all the family members of the informant “hostage” and started looting the house. On protest, the accused Chandan Kumar along with other co-accused person gave a blow of farsa on the head of the her husband causing head injury due to which he fell down on ground after becoming senseless.

4. It is submitted on behalf of the petitioners that specific allegation of assault is against other co-accused persons namely, Chandan Kumar, Kailu Sharma and Jitendra Sharma. So far as, these petitioners are concerned, there is general and omnibus allegation of assault against them. No specific overt act is alleged against these petitioners. Admittedly, there is a land dispute between the parties. Similarly situated co-accused persons have already granted bail by this Court vide order dated 20.12.2023 in Cr. Misc. No. 76717 of 2023 . Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each



with two sureties of the like amount each to the satisfaction of
the ACJM-V , Supaul in connection with Chhatapur P.S. Case
No. 26 of 2022 , subject to the conditions laid down under
section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

