

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78044 of 2023

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

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Ramjee Sharma S/O Sujay Sharma R/O Village- Lalganj, Ward No. 08, P.S-
Chhatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-01-2024 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

2. Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Chhatapur P.S. Case No. 26 of 2022 dated

20.01.2022 registered for the offence punishable under

Sections 147, 148, 149, 342, 447, 448, 323, 307, 324, 302,

379, 504, 506 of the Indian Penal Code.

4. As per the prosecution case, the petitioner along

with other 25 other co-accused persons being armed with



various deadly weapons surrounded the house of the informant, made all the family members hostage and started looting the house. On protest, the accused Chandan Kumar gave a blow of *farse* on the head of the her husband causing head injury due to which he fell down on ground after becoming senseless.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that as per the Injury Report, all the injuries are simple in nature caused by hard and blunt substance. Learned counsel has further submitted that the specific allegation of assault is against the co-accused persons namely, Chandan Kumar, Kailu Sharma and Jitendra Sharma. It is further submitted that the petitioner has no concern with the alleged offence and hence, no case is made out against the petitioner. The co-accused has already granted anticipatory bail by the Coordinate Bench of this court vide order dated 30.11.2023 passed in Cr. Misc No. 76155 of 2023 The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently



opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Supaul in connection with Chhatapur P.S. Case No. 26 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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