

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 84213 of 2023

Arising Out of PS. Case No.-212 Year-2022 Thana- KALUAHI District- Madhubani

PAWAN SHARMA @ PAWAN KUMAR SHARMA Son of Ramsevak
Sharma R/o Malmal South (According to Adhar Card Malmal Pashchami),
P.s. - Kaluahi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-01-2024 Heard Mr. Ratnakar Jha, learned counsel appearing on
behalf of the petitioner and learned Additional Public Prosecutor
for the State.

2. The petitioner apprehends his arrest in connection
with G.R. No. 1886 of 2022 arising out of Kaluahi P.S. Case
No. 212 of 2022, registered for the offences punishable under
Sections 143, 341, 323, 307 of the Indian Penal Code.

3. The allegation against the petitioner and other co-
accused persons is of assault to the informant and his family
members resulting into serious injuries.

4. It is submitted on behalf of the petitioner that the
allegation against the petitioner and others is that they have
assaulted Ramanand Sharma. However, from the injury report it



appears that the said Ramanand Sharma has sustained only two injuries on his ankle and foot, though the same are said to be grievous in nature. He further submits that other co-accused persons having similar allegation, they have been allowed the privilege of anticipatory bail by the learned co-ordinate Bench of this Court in Cr. Misc. No. 22172 of 2023 vide order dated 03.07.2023. He next submits that there is counter version of the present case being Kaluahi P.S. Case No. 213 of 2023 which has also taken note of in the impugned order. He lastly submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation and in the proceeding of the court.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the injured has sustained injury on a non-vital part which is attributed to three persons, including the petitioner, coupled with the fact that the co-accused persons having identical allegation have been allowed the privilege of anticipatory bail, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks



from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with G.R. No. 1886 of 2022 arising out of Kaluahi P.S. Case No. 212 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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