

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84431 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- ISUAPUR District- Saran

-
1. Baleshwar Sharma Son Of Late Deodhari Sharma R/O Village-Manpursauli, P.S.- Ishuapur, Dist.- Saran
 2. Rameshwar Sharma Son Of Late Deodhari Sharma R/O Village-Manpursauli, P.S.- Ishuapur, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-01-2024 Heard Mr. Sanjay Kumar Singh, learned counsel for the petitioners and Mr. Sunil Kumar Pandey, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Ishuapur P.S. Case No. 48 of 2023, F.I.R. dated 24.02.2023 registered for the offences punishable under Section 149, 323, 324, 341, 427, 307, 380, 504 and 506 of the Indian Penal Code.

3. Allegation against the petitioners is that they along with others have assaulted the informant, his father and his family members with knife, brick, lathi and dunda and due to which three persons sustained injured.



4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that the date of occurrence as alleged in the F.I.R. is 07.06.2021 but the present complaint petition has been filed on 23.07.2021 and from perusal of the complaint petition/F.I.R. it appears that there is allegation against the petitioners but they have not annexed any medical evidence to support the contention of the complaint/F.I.R.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Ishuapur P.S. Case No. 48 of 2023, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

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

