

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13849 of 2024

Arising Out of PS. Case No.-353 Year-2023 Thana- CHANDAUTI District- Gaya

1. Ramanuj Sharma @ Ramanuj Singh S/o Late Bhuneshwar Sharma
2. Amit Kumar @ Amit Sharma S/o Surendra Sharma
3. Shivendu Sharma @ Shivendra Sharma S/o Ramanuj Sharma @ Ramanuj Singh
4. Shivam Kumar S/o Satendra Sharma,
5. Satendra Sharma S/o Ramanuj Sharma @ Ramanuj Singh
6. Surendra Sharma S/o Ramanuj Sharma @ Ramanuj Singh
7. Sanjay Sharma S/o Ramanuj Sharma @ Ramanuj Singh
8. Rishikesh Kumar S/o Satendra Sharma
All resident of Village- Niyazipur, P.S.- Chandauti, District- Gaya
9. Manish Kumar S/o Manoj Singh @ Manoj Kumar, resident of Village- Bira,
P.S.- Hulashganj, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Vinod Kumar, learned counsel appearing
on behalf of the petitioners and Mr. Shyameshwar Dayal,
learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Chandauti P.S.Case No.353/23 registered for the offences
punishable under Sections 341, 323, 308, 325, 504, and 506/34
of the Indian Penal Code .

3. As per the allegation made in the FIR, the



petitioners along with other accused persons had assaulted the informant side. Specific allegation of assault is against Shivendra Sharma (petitioner no.3).

4. Learned counsel appearing on behalf of the petitioners submitted that there was land dispute between the parties due to which both the parties engaged in fierce fight. Petitioner no.3 may have caused injury on the leg of the victim without any intention.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, the allegation made in the FIR, specific allegation is against petitioner no.3 of having assaulted on the left leg of the victim causing fracture while general and omnibus allegation has been alleged against the petitioner nos. 1 to 2 and 4 to 9, both the parties engaged in fierce fight due to land dispute and in the same course of incident, in their self-defence, the petitioners may have caused injury to the informant side, the petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties



of the like amount each to the satisfaction of learned CJM, Gaya/concerned court, in connection with Chandauti P.S.Case No.353 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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