

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29818 of 2025

Arising Out of PS. Case No.-175 Year-2023 Thana- HULASGANJ District- Jehanabad

1. Shiv Shankar Sharma @ Shiv Shankar Kumar S/o Bamdev Singh R/o Vill-Lodipur, P.S.- Hulasganj, Dist- Jehanabad
2. Ravi Shankar Sharma @ Ravi Shankar Kumar S/o Bamdev Singh R/o Vill-Lodipur, P.S.- Hulasganj, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

For the Opposite Party/s : Mr. Renuka Ratnakar (App.125)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 03-09-2025 Heard Mr. Mukesh Kumar, learned counsel for the petitioner and the State.

2. The petitioners apprehend their arrest in connection with Hulasganj P.S. Case No. 175 of 2023 for the offence registered under sections 147, 148, 149, 452, 341, 323, 325, 307, 354, 379, 504 and 506 of the IPC and under Section 27 of the Arms Act.

3. As per the prosecution story, the informant alleged that on a minor issue of fixing the electric pole, the scuffle took place and the allegation is that these two petitioners firstly abused and later opened fire and the further allegation is that the same hit on his hand causing injury. Later, Deepak Kumar and



Monu Kumar opened fire causing injury on the leg of the nephew. The further allegation is of outraging the modesty and taking away case/ornaments. This led to the FIR.

4. Learned counsel for the petitioner submits that it was a minor scuffle, led to exaggerated FIR, in the scuffle, the firing took place and hit the hand of the victim, no second assault has been assigned, they have no criminal antecedent. The submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 7,500/- each (totaling Rs. 15,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that though on hand, the vital part has been injured.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, they have undertaken to diligently appear in trial, no repeat firing is there, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs.



7,500/- each (totaling Rs. 15,000/-) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Hulasganj P.S. Case No. 175 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;



(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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