

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68453 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- DARBHANGA SADAR District-
Darbhanga

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1. DHANIK LAL SHARMA S/O UMESH SHARMA RESIDENT OF VILLAGE- MOSIMPUR, POLICE STATION- SADAR, DISTRICT- DARBHANGA
 2. Ranjit Sharma S/o Umesh Sharma RESIDENT OF VILLAGE- MOSIMPUR, POLICE STATION- SADAR, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-01-2025 Heard the parties

2. The petitioners are apprehending his arrest in connection with Darbhanga Sadar PS Case No. 228 of 2024 for the offence under Sections 341, 447, 323, 324, 308, 354/34 of the 1.P.C. lodged on 05.06.2024 by the informant, Soni Devi.

3. As per the prosecution story, the informant alleged that there was a land dispute and as the accused side started plucking the mango, it was objected, then, Dhaniklal Sharma, the petitioner no.1 herein caught hair of the informant and tried to outrage her modesty and in the process, her hand was fractured. When her husband came to rescue Ranjeet Sharma, petitioner no.2 herein gave 'Farsa' blow causing injury on his left hand. Further the informant's son Shivnath Sharma was also assaulted by Ranjeet Sharma giving injury on his head. Accordingly the F.I.R.



4. Learned counsel for the petitioners submits that though allegation of assaulting the lady and her husband is attributed to these two petitioners, the injury report does not fully support the said allegation.

5. Learned APP on the other hand, has taken this Court to the injury report of the lady to show that fracture of ulna has been reported. Further, there is specific allegation of assault on Ranjit Sharma.

6. Taking into account the aforesaid facts as also that specific allegations is/are against these two petitioners, it is unfortunate that for petty issue, the hand of the lady was fractured by the petitioner no.1 and the report shows the fracture of ulna, further, there is also allegation against petitioner no.2 of repeatedly giving injuries to the informant's side, in that background, no relief can be granted to the petitioners. Accordingly, the petition stands rejected.

7. If the petitioners surrender within four weeks from today, the court concerned shall take up the matter and dispose it of, on the same day if possible.

(Rajiv Roy, J)

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