

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80331 of 2024

Arising Out of PS. Case No.-304 Year-2023 Thana- SINDHIYA District- Samastipur

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Bolbam Sharma @ Balbam Kumar @ Bolbam Kumar Sharma Son of Ram
Narayan Sharma Resident of Village - Sripur Mauaan, P.S. - Singhiya, District
- Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
under Sections 341, 323, 324, 307, 379 and 34 of the Indian
Penal Code.

3. The prosecution case, in brief, is that on 27.11.2023 at
about 1:00 a.m. in the night, this petitioner came at the house of
informant and took away his brother Kundan Kumar to see the
Shama-Chakewa festival, and when his brother was returning,
on the way, this petitioner alongwith other, named in the F.I.R.
armed with *lathi-danda*, deadly weapons surrounded his brother
and started abusing him, and co-accused Ram Narayan Sharma
gave *Tengari* blow upon head of informant's brother, due to



which he sustained head injury. It is further alleged that this petitioner, co-accused Bucchi Devi and Bachiya Devi assaulted informant's brother by means of fists- slaps, *lathi-danda*, due to which he sustained injuries, and all the accused persons snatched gold *chakti* from his neck, and thereafter fled away.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner and informant are neighbours. Specific accusation of assault is against other co-accused persons. So far as this petitioner is concerned, he is only alleged to have assaulted the brother of informant by means of fists and slaps. It is further submitted that during the pendency of this case, both parties have settled the dispute and for which a compromise petition has been filed before the Court below. Similarly situated co-accused Ram Narayan Sharma has already been granted anticipatory bail by this Court vide order dated 24.07.2024 passed in Cr. Misc. No. 46775 of 2024. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below



within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Rosera, Samastipur in connection with Singhiya P.S. Case No. 304 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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