

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66514 of 2025

Arising Out of PS. Case No.-168 Year-2021 Thana- GOVINDGANJ District- East
Champaran

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1. Chhathu Sharma son of Late Mukti Sharma Resident of Village- Sharma Tola PS- Areraj OP (Govindganj) District -East Champaran
 2. Shashi Bhushan Sharma son of late Mukti Sharma Resident of Village- Sharma Tola PS- Areraj OP (Govindganj) District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 21-01-2026 Heard Mr. Krandeep Kumar, learned counsel for the
petitioners and Mr. Nagendra Prasad, learned APP for the State.

2. The petitioners are apprehending arrest in connection with Govindganj (Areraj O.P.) P.S. Case No. 168 of 2021 instituted under Sections 341, 323, 324, 307, 379, 447, 504 and 506/34 of the Indian Penal Code lodged on 04.06.2021 by the informant, Kalawati Devi.

3. As per the prosecution story, the accused who are agnates, came, armed variously and allegation is that on the order of Jata Sharma @ Chandra Bhushan sharma, the attack took place. Jata Sharma led the attack by assaulting the informant by the axe injuring her nose. Later, Abhishek Sharma



gave 'lathi' blow to the informant. As Ritesh Kumar, her son came to rescue, all the accused persons assaulted him as also the son-in-law, Ajit Kumar Sharma and daughter Ripu Kumari, the allegation of snatching of 'Mangalsutra' is also there. This led to the FIR.

4. Learned counsel for the petitioners submit that a perusal of the FIR would show that omnibus allegation is against others, specific allegation is against Jata Sharma @ Chandra Bhushan sharma and Abhishek Sharma of assault and snatching of the 'Mangalsutra'. None of the petitioners have criminal antecedent.

5. Learned APP opposes the prayer submitting that with the common intention, they were present there and the allegation of assault is also there.

6. Considering the submissions of the parties as also the materials on record, specific allegation is against Jata Sharma @ Chandra Bhushan sharma and Abhishek Sharma, these two petitioners though present in the FIR, omnibus allegation is there, have no criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event



of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Govindganj (Areraj O.P.) P.S. Case No. 168 of 2021 to the satisfaction of learned Chief Judicial Magistrate-First Class, East Champaran at Motihari subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her 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 their 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 their attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(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 their bail bonds.

(Rajiv Roy, J)

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