

Arising Out of PS. Case No.-450 Year-2025 Thana- TURKAULIYA District- East Champaran

- Petitioner/s

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
	:	Ms. Isha Mishra, Advocate
	:	Mr. Dhandev Kumar, Advocate
For the State	:	Mr. Bharat Bhushan, APP

3. As per the prosecution story, the informant alleged that on the issue of construction of PCC road, firstly petitioner no.1, Rambabu Sharma abused, though the locals intervened and the matter was resolved, later armed variously, the accused



came and allegation is that they assaulted the informant side. Specific allegation is against Rambabu Sharma @ Rambabu Kumar Sharma, petitioner no.1, that he gave Gandasa blow on the head of the informant and when his brother Shivpujan Sharma came to rescue was assaulted by Jiuat Sharma. Futher allegation is against other also, this led to the F.I.R.

4. Learned counsel for the petitioner submits that the injury report shows that the injury sustained by the informant has been found to be simple in nature.

5. Learned APP Mr. Bharat Bhushan, on the other hand opposes the prayer submits that a perusal of the second injury report would show that the injury sustained inflicted by the petitioner no.2, Jiuat Sharma to Shivpujan Sharma have been found to be grievous in nature.

6. Considering the submissions of the parties and the allegation that has come against petitioner no.2, Jiuat Sharma, his anticipatory bail application stands rejected.

7. So far as the petitioner no.1, Rambabu Sharma @ Rambabu Kumar Sharma is concerned though allegation of assault is there, the injury has been found to be simple in nature, he do not have criminal antecedent, in that background, this Court is inclined to extend petitioner no.1, Rambabu Sharma @



Rambabu Kumar Sharma the privilege of anticipatory bail.

8. Let the petitioner no.1, Rambabu Sharma @ Rambabu Kumar Sharma be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran, Motihari, in connection with Turkauliya P.S. Case No. 450 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner no.1, Rambabu Sharma @ Rambabu Kumar Sharma who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner no.1, Rambabu Sharma @ Rambabu Kumar Sharma 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 petitioner no.1, Rambabu Sharma @ Rambabu Kumar Sharma shall appear before the concerned police station every month 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 petitioner no.1, Rambabu Sharma @ Rambabu Kumar Sharma 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 petitioner no.1, Rambabu Sharma @ Rambabu Kumar Sharma shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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