

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28406 of 2014**

Arising Out of PS.Case No. -20 Year- 2010 Thana -AGHORA District- BHABHUA (KAIMUR)

=====

1. Deepak Sharma Son of Kurthan Sharma R/o Village Amahua, P.S. Chutiya, in the district of Rohtas

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

4      16-01-2015      Heard the parties.

This is an application for anticipatory bail for the offence punishable under sections 147, 148, 149, 342, 324, 384, 363, 365 and 504 of the I.P.C and section 27 of the Arms Act.

Allegedly the petitioner and other F.I.R. named accused persons along with 17 unknown extremists came in the village, demanded their licensee arms and further they took away 35 to 40 villagers and thereafter they released some of them and kept confined some of them, who later on also returned back. The informant identified the petitioner alongwith others.

Submission is that in such cases false implication cannot be ruled out and the petitioner has got no concern with the organization of extremists, but in spite of that his name has been

taken by the informant. Similarly other witnesses during investigation have also named the petitioner. The petitioner in another case has been allowed pre-arrest bail by this Hon'ble Court by order dated 07.02.2012 in Cr. Misc. No. 3848 of 2012 and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that besides the informant other witnesses have also named the petitioner.

As no harm was caused to any one of the persons who were taken away and returned safely and there is no specific allegation against the petitioner and as such the petitioner, in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Kaimur at Bhabhua in connection with Adhaura P.S. Case No. 20 of 2010, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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