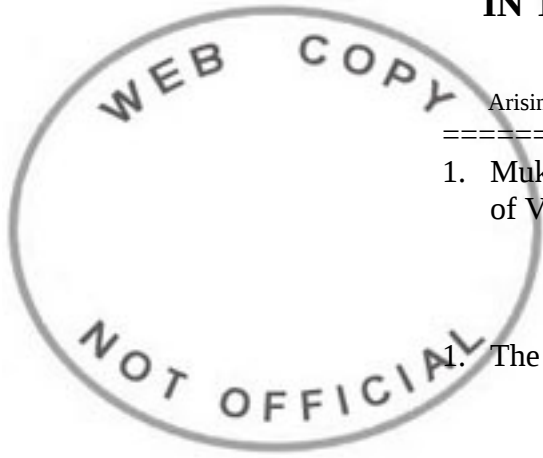




**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.57235 of 2015**

Arising Out of PS.Case No. -185 Year- 2015 Thana -JAHANABAD District- JEHANABAD

=====

1. Mukesh Kumar @ Jhanduya Son of Shri Ram Ashish Sharma Resident  
of Village Murhara, P.s Shakurabad, district Jehanabad.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

=====

**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Nirmala Kumari (App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      18-12-2015      Petitioner is apprehending his arrest in a case  
registered for the offences punishable under Sections 326,  
307/34, 120B of the Indian Penal Code and Section 27 of the  
Arms Act.

It is alleged that co-accused Pintu Sharma and  
Rama Kant Sharma belonging to the group of Pappu Sharma  
came with motorcycle at the petrol pump when co-accused Arif  
was giving information to other accused persons and co-  
accused Rama Kant Sharma pointed out the accused towards  
him and allegedly the maternal brother of Pappu Sharma fired  
from pistol and thereafter other accused persons started  
resorting to fire when injury was caused to the informant. The  
petitioner was not named in the First Information Report and  
his name sprang up in the confessional statement of Gaurav

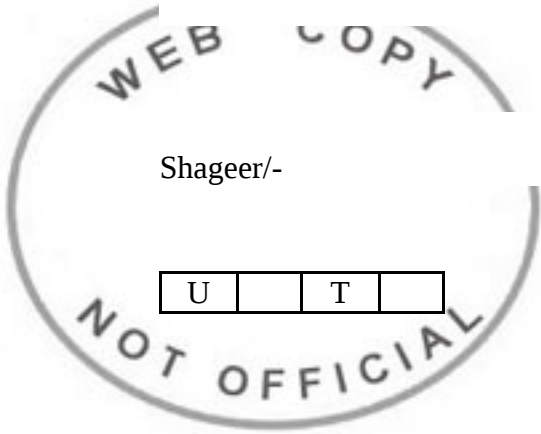
Kumar @ Girijesh Kumar who suggested that he and this petitioner resorted to fire.

It is submitted by learned counsel for the petitioner that specific case of the informant is that firing was made by the maternal brother of Pappu Sharma. Paragraph 17 of the case diary suggests that name of the maternal brother of Pappu Sharma is Satish Sharma. The confessional statement of co-accused Gaurav Kumar @ Girijesh has been recorded in para 98 of the case diary made on 24.05.2015 when the date of occurrence is 02.05.2015. Co-accused Gaurav Kumar @ Girijesh has been granted bail vide Cr. Misc. No. 46070 of 2015.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the fact that specific accusation in the F.I.R is against Satish Sharma and the name of the petitioner sprang up after more than three weeks of the occurrence when the person who named the petitioner has been granted bail and the injury report suggest only one injury, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case

No. 185 of 2015, subject to the conditions as laid down under  
Section 438(2) of the Cr.P.C.



**(Dinesh Kumar Singh, J)**