

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6005 of 2016

Arising Out of PS.Case No. -175 Year- 2000 Thana -JAHANABAD District- JEHANABAD

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Anil Sharma, Son of Rajendra Sharma, Resident of village- Ankupur, P.S-
Rampur, Chauram, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Md. A.Haque Sahara (App)

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

3 05-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Jehanabad
P.S. Case No. 175/2000 registered for the offences punishable
under Sections 147, 148, 149, 160, 323, 325, 326, 307, 341, 342,
186, 353, 332, 333, 334, 337, 338, 435 and 120(B) of the Indian
Penal Code and later on Section 302 IPC has also been added.

Allegedly, the petitioner and other co-accused being in
custody, started quarreling with another group, set fire in the
blanket after pouring Kerosene oil, in spite of *Lathicharge*, they
remained violent, resulting some of the custodial accused were
injured and out of them one died.

Submission is of false implication only on suspicion, in

this case 19 named accused persons had faced trial vide S.T. No. 338 of 2008/ 29 of 2011 and they all have been acquitted by judgment dated 21.03.2012. The petitioner was not remanded in this case, he was mentally disturbed since 2006, he has voluntarily surrendered in the Court on 14.11.2014 and since then he is in custody, there is no specific allegation against him and, as such, he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is habitual offender and has committed several offences and, as such, the petitioner does not deserve bail.

In the facts and circumstances stated above, considering the period of abscondance at present I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Jitendra Mohan Sharma, J)

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