

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8021 of 2016

Arising Out of PS.Case No. -34 Year- 2015 Thana -KARPI District- JEHANABAD

1. Shiv Sharma @ Sheo Sharma, Son of Late Anil Sharma, resident of Kusre, P.S.- Karpi, District- Arwal

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Gulnar Begum(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-02-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Karpi P.S.Case No. 34/2015 registered for offences punishable under Sections 386, 387/34 of the Indian Penal Code and 25 (1-b) A, 26, 35 of Arms Act.

The prosecution case as lodged by the informant by way of a written statement alleged that the informant is running a brick kiln industry in the name and style of Ganga brick industry, which is registered in the name of his nephew Sujit Kumar. On 24.02.2015 at 11 P.M., some accused persons came with arms at his brick kiln Industry and demanded Rs. 1, 00,000/- as rangdari from his manager Nageshwar Singh. On refusal, they snatched



sale's amount of Rs. 50,000/- on pistol point. The miscreants also snatched mobile and beated the staff of Mithilesh Singh. It has further been alleged that they proceeded to Shanti Brick kiln and the informant informed the owner Shambhu Prasad Ranjan, who in turn informed the President and members of Sarvodaya Vikash Sangh, Kusare Tola Kunji Bigha about arrival of miscreants, where upon villagers apprehended Putu Sharma, one of the miscreants and the petitioner Shiv Sharma, who was holding arms, succeeded in fleeing away. On being searched, live cartridges and pistol and Rs. 50,000/- were recovered from the possession of apprehended accused Putu Sharma.

It has been submitted by the learned counsel for the petitioner that he is innocent and has committed no offence and no incriminating articles has been found in his possession. It has further been submitted by the learned counsel for the petitioner that he has no criminal history, as is evident from para-3 of this petition.

Learned counsel for the petitioner further contends that due to village politics and ulterior motive, the petitioner has been named in the F.I.R. However, learned A.P.P. submits that the petitioner is named in the F.I.R. and opposes the prayer for bail.

Be that as it may, let the above named petitioner in the event of his arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Karpi P.S.Case no. 34/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

(Nilu Agrawal, J)

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