

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10111 of 2016

Arising Out of PS.Case No. -206 Year- 2014 Thana -SONEPUR District- SARAN

=====

Dheeraj Kumar Son of Sri Sanjay Kumar Sharma resident of Village -
Ismailchak, P.S. - Sonapur, District - Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.APP)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-04-2016 Heard learned counsel for the petitioner and the

learned Special P.P. for the State.

Petitioner apprehends his arrest in connection with
Sonapur P.S. Case No. 206 of 2014 registered for offences
punishable under Sections 307, 379 and other allied sections of the
Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case, in brief, is that informant filed a
written petition before the SHO, Sonapur P.S. alleging against
nine named and twenty unknown accused persons that on
28.05.2014 at about 5:30 P.M. while he and his son reached
Govind Chauk, five accused persons abused him by calling his
caste name and assaulted his son. It is further alleged that accused

persons named in the written petition had broken the door of Upendra Ram and tied the neck of the informant. It is also alleged that co-accused Chhotu took out the money from the pocket of the informant's son.

It has been submitted by the counsel for the petitioner that petitioner is innocent having no criminal antecedent and has falsely been implicated in the aforesaid case. In fact, petitioner is on inimical terms with the informant and due to earlier dispute, petitioner had earlier lodged a First Information Report against the informant and his son, bearing Sonapur P.S. Case No. 205 of 2014 and the present case is a counter blast to the said case. It has further been submitted that the allegations upon the petitioner is general and omnibus and he has been named in the First Information Report along with eight named and twenty unknown accused persons of the same village. Furthermore, learned counsel for the petitioner submits that some of the co-accused having similar allegations have already been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 30.10.2015 passed in Cr. Misc. No. 44730 of 2015.

However, learned Special P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the nature of accusation and the case lodged by the petitioner's side earlier to the present First Information Report, let the petitioner, above named, 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 bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Special Judge/Magistrate ST/SC (POA) Act, Chapra in connection with Sonapur P.S. Case No. 206 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--