

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24479 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -SANOKHAR District- BHAGALPUR

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Deen Bandhu Sharma, Son of Sri Narsingh Sharma, Resident of Mohalla-
Mohamdabad, P.S. Babarganj, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 21-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sanokhar P.S.
Case No.94 of 2016 registered under Sections 392 and 411 of the
Indian Penal Code, pending in the court of the Additional Chief
Judicial Magistrate-IV, Bhagalpur.

The allegation of the informant Md. Imran is that he used
to drive the Scorpio vehicle of his maternal uncle on hire. On
14.11.2016 at about 01.30 P.M., Chandan Yadav of village-
Chaudhary Dih, reserved his Scorpio vehicle on hire at Railway
Station-Bhagalpur, and, thereafter, when the informant made
demand of his identity card then he asked him to provide the same



at his house. Thereafter, the informant went to the house of Chandan Yadav where he gave the identity card of Deen Bandhu Sharma (petitioner). After that, when on the instruction of Chandan Yadav, the informant proceeded for Basant Rai on the Scorpio vehicle, then Chandan Yadav, this petitioner and one person sat on the Scorpio vehicle and in course of talking on the Scorpio vehicle, they were taking the name of another person as Rahman. In course of returning from Basant Rai, in the way, all the three persons asked him to stop the vehicle on the pretext to urinate and when the informant stopped the vehicle, all the three persons came near him and, thereafter, Chandan Yadav and Rahman pointed pistols on his temporal region and asked him to get down from the vehicle and to give the key of the vehicle. In that course, this petitioner started to cause assault to the informant through fists and slaps. On fear, he gave the key of the vehicle to them and started to flee away and aforesaid three persons moved from there boarding on the vehicle. Thereafter, the informant came on the road and went to Sanokhar police station and gave information to the Officer Incharge, who gave information regarding the same to the Officers Incharge of other police stations. After sometime, the information was given to the informant by the Officer Incharge of Sanokhar Police Station that



his vehicle has been seized under Ishipur Barahat Police Station. Thereafter, the Officer Incharge of Sanokhar Police alongwith other police officials proceeded for Ishipur Barahat Police Station and he also reached there then found that the police was interrogating with the petitioner.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner, who is the carpenter, was called by the co-accused Chandan Yadav for doing the furnishing work at Basant Rai, as such, the petitioner has no concern with the alleged offence but under misconception, he has been apprehended by the police. The petitioner is in custody since 15.11.2016.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

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