

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48238 of 2017**

Arising Out of PS.Case No. -26 Year- 2017 Thana -BIHRA District- SAHARSA

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1. Bijay Sharma son of Achchelal Sharma resident of village -  
Panchgachhia, P.S. - Bihra, District - Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

3      15-11-2017                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises  
out of Bihra Police Station Case No. 26 of 2017, disclosing  
offences under Sections 147, 148, 149, 341, 324, 307, 504 and  
506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that  
there is general and omnibus allegation against this petitioner  
and no specific overt act is attributed to him. In fact, the  
petitioner has falsely been made accused in this case on account  
of earlier case lodged by the petitioner and others against the  
informant, which is evident from annexure-2. Nothing  
incriminating has been recovered from the possession of the



petitioner. Hence, the petitioner, who is of clean antecedent, deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on 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, Saharsa, in connection with Bihra Police Station Case No. 26 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Arvind Srivastava, J)**

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