

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57307 of 2017

Arising Out of PS.Case No. -62 Year- 2003 Thana -SHAKURABAD District- JEHANABAD

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Kaushal Sharma, S/o Sujan Sharma @ Ram Sewan Sharma, resident of
Village- Noawan, P.S.- Sakurabad, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-12-2017 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is permitted to
make necessary correction in father's name of the petitioner in the
bail petition during course of the day.

The petitioner apprehends his arrest in **Shakurabad**
P.S. Case No. 62 of 2003 instituted for the offence under Sections
147, 148, 149, 342, 307, 353, 120B of the Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that
petitioner has clean antecedent. His name is appearing in the
written report but without parentage and described the petitioner
as nephew of Jalesh Sharma. The police since the year 2017 is
looking after this petitioner on the basis of process issued by the



court in the name of petitioner as son of Ram Sevak Sharma, whereas the father's name of this petitioner is Sukan Sharma @ Ram Sewan Sharma. It has further been submitted that co-accused Rakesh Kumar @ Rakesh Sharma, has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 27.11.2004 passed in Cr. Misc. 24039 of 2004.

In the written report mere suspicion has been raised against this petitioner and other accused persons.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Shakurabad P.S. Case No. 62 of 2003**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-1st, Jehanabad**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond



of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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