

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12101 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Manoj Sharma, S/o Surendra Prasad Sharma,
2. Satish Sharma, S/o Surendra Prasad Sharma, Both are resident of Village-
Jaitpur, P.S.- Haspura, District- Aurangabad, at present Chotki Kharan,
Fatehpur Mathia, P.S.- Sahar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh. Sr. Adv.
For the Opposite Party/s : Mr. Sri Bisheshwar Ram
For the Informant : Mr. Shailesh Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-03-2017 The petitioners are apprehending their arrest in connection with Aurangabad Town P.S. Case No. 193 of 2016, registered for offences punishable under Sections 307/34 and 120B of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioners that petitioners and informant are *Gotiyas* and falsity of the case will appear from the F.I.R itself as in the F.I.R it is alleged that several rounds of firing has been made on informant but it is very surprising that none of the shots hit the informant. Further the petitioner was earlier implicated in another case, in which they were allowed anticipatory bail but the informant being a lawyer



did not allow them to furnish the bail bonds and the present case has been filed only to put the petitioners in jail

Heard learned A.P.P. and learned counsel for the informant, they have opposed the prayer for bail. Learned counsel for the informant has submitted that petitioners himself did not furnish bail bonds and only after the occurrence in the present case they came out on bail only to show their innocence.

Having heard both sides, in view of the direct allegation against the petitioners coupled with the fact they have criminal antecedent, this is not a fit case for grant of anticipatory bail, it is accordingly rejected.

However, if the petitioners surrender before the court below and pray for regular bail, his application shall be considered by the court below on the merit of the case, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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