

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51659 of 2017**

Arising Out of PS. Case No.-45 Year-2016 Thana- CHUTIA SAHAYAK District- Rohtas

Deepak Sharma, S/o Kurthan Sharma, R/o Village- Amahuan, P.O.- Parchha,  
P.S.- Chutiya, Amahuan, District- Rohtas, Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Deovind Kumar Singh, Adv.  
For the Opposite Party/s : Mr. J. N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      10-11-2017              Heard learned Counsel appearing on behalf of the  
petitioner and learned APP for the State.

The petitioner is apprehending arrest in a case registered  
for the offences punishable under Sections 436, 504, 506, 34 of  
the Indian Penal Code.

Accusation has been levelled against 16 FIR named  
accused persons including eight unknown persons for setting  
10-12 huts of the informant's side on fire.

It is submitted by learned Counsel for the petitioner that  
petitioner's side lodged the FIR being Chutiya P.S. Case No.45  
of 2016 by submitting a written report on 16.12.2016 itself,  
levelling accusation under sections 435, 504, 34 of the Indian  
Penal Code and Section 3(1) (r)(s) of the Scheduled Castes and  
Scheduled Tribes (Prevention of Atrocities), Act. Moreover, the



accusation of setting the hut on fire is omnibus and general. It is further submitted that for the occurrence of 16.12.2016, the FIR was registered on 19.12.2016, whereas, it was transmitted to the learned Court below on 21.12.2016. A statement has been made in paragraph no.3 that the petitioner has no criminal antecedent. It is further submitted that similarly situated accused has been granted bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.43220 of 2017, as contained in Annexure-2.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Rohtas, Sasaram, in connection with Chutiya P.S. Case No.45/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C

**(Dinesh Kumar Singh, J)**

Ashwini/-

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