

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57174 of 2018

Arising Out of PS.Case No. -101 Year- 2018 Thana -JAMALPUR District- MUNGER

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Sanjeev Kumar Sharma @ Sanjiv Sharma @ Ramu S/o Late Yogendra
Thakur, R/o Mohalla- Bari Daulatpur, P.S.- Jamalpur, District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary, Adv.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Jamalpur P.S. Case No.101 of 2018 registered for the offences
punishable under Sections 447, 341, 323, 307, 379, 504/34 of the
Indian Penal Code.

There is specific allegation against the petitioner that
he assaulted the informant by iron rod causing injury on his left
knee.

However, submission on behalf of the petitioner is
that on the alleged date of occurrence, the informant of the present
case entered into the house of the petitioner and made attempt to
outrage the modesty of petitioner's daughter, who raised alarm



and, thereafter, informant of the present case fled away from there. Learned counsel for the petitioner submits that the petitioner lodged Jamalpur P.S.Case No. 100 of 2018 for the above stated occurrence and after institution of the above stated case, the present informant lodged this case.

The impugned order goes to show that the informant of the present case sustained grievous injury. However, it is submitted on behalf of the petitioner that even if, the prosecution story assumed to be true, then also, no case under section 307 of the Indian Penal Code is made out and so far as section 379 of the Indian Penal Code is concerned, the same is superficial and have been inserted with an object to make the offence grievous.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioner and, accordingly, his prayer for anticipatory bail in connection with Jamalpur P.S.Case No. 101 of 2018, pending in the court of Chief Judicial Magistrate, Munger stands rejected.

However, petitioner is directed to surrender before the court below within six weeks from today and if, petitioner does so and seeks regular bail, the concerned court shall consider the regular bail application of the petitioner on its own merit,



particularly, keeping in mind the arguments advanced on his behalf before this Court.

(Hemant Kumar Srivastava, J)

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