

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74615 of 2018

Arising Out of PS. Case No.-206 Year-2018 Thana- BIHIA District- Bhojpur

Sunil Kumar Sharma @ Sunil Sharma Son of Late Ramjee Sharma Resident
of Village-Raja Bazar,Bihiya,Police Station Bihiya,Distt.-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2018 Counsel for the petitioner is permitted to make
necessary correction in paragraph 3 of the application in course
of the day.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 341, 302, 504, 506 of
the Indian Penal Code and 27 of the Arms Act.

Allegation is that the accused persons including the
petitioner armed with gun and rifle came and abused Ranjit
Bahadur and accused Pappu Singh and Dhumraj Singh Yadav
fired upon Ranjit Bahadur, on account of which he sustained fire
arm injury and then he was taken to the Hospital for treatment,
where the doctor declared him dead.



It has been submitted on behalf of the petitioner there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to previous enmity. So far allegation of assault is concerned, same is alleged against co-accused Pappu Singh and Dhumraj Singh Yadav. The petitioner has not caused any injury to the deceased. There is no overt act alleged against him. He is said to be a member of the mob. A co-ordinate Bench of this Court granted bail to the other co-accused vide Cr.Misc.No.47434 of 2018 and Cr.Misc.No.51136 of 2018.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. It is further submitted on behalf of the informant that the anticipatory bail of co-accused similarly situated has been rejected vide Cr.Misc.No.56235 of 2018.

Considering the aforesaid facts and circumstances and there is no allegation of assault alleged against the petitioner for constituting an offence under Section 302 of the I.P.C., let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Chief Judicial Magistrate Vth, Bhojpur at Arrah in connection with Bihiya P.S. case No.206 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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