

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47001 of 2018

Arising Out of PS. Case No.-303 Year-2018 Thana- JAHANABAD District- Jehanabad

Gaurav Sharma, Son of Kaushlendar Sharma, Resident of Mohalla- Adarsh Colony, Jehanabad, Police Station and District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Ranjan, Advocate.

For the Opposite Party : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-11-2018 Learned counsel for the petitioner is permitted to make necessary correction in paragraph no. 1 of the bail application, in course of the day.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 307, 341, 323, 325, 379, 448, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 15.04.2018, at about 10.00 A.M. while the informant was at his shop near Bijali Office, in the mean time, the petitioner Gaurav Sharma and his four associates came there and started to throw the articles of the shop and on being objected, the petitioner assaulted with Iron rod on the head of the informant



and his other associates have assaulted the informant with *Lathi* and *Danda*. The injured was brought to Sadar Hospital, Jehanabad from where he was referred to P.M.C.H. Patna for better treatment. They took away Rs. 5,000/- from his shop.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to previous enmity. Paragraph No. 43 of the case diary indicates that there is no medical examination report of the victim on record. In absence of medical examination report it can not be ascertained that the petitioner has committed an offence under Section 307 of the IPC.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 C.J.M. Jehanabad in connection with Jehanabad P.S. Case No. 303 of 2018,



subject to conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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