

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9417 of 2019

Arising Out of PS. Case No.-44 Year-2018 Thana- SHRI NAGAR District- Madhepura

1. Fagu Sharma Son of Late Aghanu Sharma
2. Mukesh Sharma Son of Late Sitaram Sharma
3. Sudo Sharma Son of Fagu Sharma
4. Lalan Sharma Son of Late Sitaram Sharma

All are residents of Village- Laxmipur Bhagwati, P.S.- Sri Nagar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-02-2019 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application of petitioner no. 4 (Lalan Sharma).

Prayer is allowed.

The petition with respect to applicant no. 4 is dismissed as withdrawn with liberty to the petitioner no. 4 to surrender before the court below and seek bail. On such surrender, the court below shall pass reasoned order without being prejudiced by the fact that present petition has not been entertained.



The petitioners no. 1 to 3 seek bail in anticipation of their arrest in connection with Sri Nagar P.S. Case No. 44/2018 dated 06.06.2018 instituted for the offence under Sections 341, 323, 324, 379, 436, 504 and 34 of the Indian Penal Code.

It has been alleged that the petitioners indulged in loot and arson and also tried to damage the property by sprinkling Kerosene Oil.

Learned counsel for the petitioners has submitted that ten persons have been named in the F.I.R. but nothing specific has been attributed against these petitioners. The petitioners have been falsely implicated in this case. Allegation of sprinkling Kerosene Oil and trying to set the house on fire is on co-accused Lalan Sharma.

Taking into account the general nature of accusation against the petitioners no. 1 to 3 and their clean antedecents, they are directed to be released on bail, in the event of their arrest or surrender before the



court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 3rd, Madhepura in connection with Srinagar P.S. Case No. 44/2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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