

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25319 of 2019

Arising Out of PS. Case No.-24 Year-2017 Thana- EKCHARI District- Bhagalpur

Suresh Sharma, aged about 43 years, Gender – Male, Son of Late Govind Sharma Resident of Village- Bakiya Diyara, P.S.- Pirpainty, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered under Sections 147, 148, 323, 379, 427, 504 and 506 of the Indian Penal Code.

On the instigation of the petitioner, other accused persons uprooted the pillar fixed on the land of the informant and on protest made by the brother of the informant they gave him chase to assault by means of khanti and Ashok Yadav also resorted firing. But anyhow he escaped the firing. Then the accused persons took away the pillar on the tractor. They also damaged the maize crops of the informant and also did not pay any value of the damaged crop.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. Petitioner has no concern with the aforesaid occurrence. There is no overt act against the petitioner. No one sustained any sort of injury. Petitioner is said to be only instigator of the occurrence. Co-accused namely Vedanand Yadav has been enlarged on Regular Bail by learned lower court while other co-accused persons barring the petitioner namely Radhakant Sharma, Rajendra Sharma, Manoj Sharma and Sanjay Kumar Sharma have been enlarged on anticipatory bail by learned lower court.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 C.J.M., Bhagalpur in connection with Ekchari P.S. Case No. 24 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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