

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42239 of 2019

Arising Out of PS. Case No.-148 Year-2017 Thana- TEKARI District- Gaya

Vicky Sharma Son of Late Mahabir Sharma, Resident of Mohalla - Jhilganj,
P.S.- Kotwali, District- Gaya.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 19-09-2019 Heard Learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Tekari P.S. Case No. 148 of 2017 registered for the offences punishable under Sections 147, 148, 149, 353, 341, 342, 323, 307, 504, 506 and 109 of the Indian Penal Code.

Learned counsel for the petitioner submits that the only allegation against the petitioner is that he was amongst 60-70 unknown persons who had started assaulting the inspecting team and disturbed them when they had gone to the site where illegal mining was allegedly taking place.

It is submitted that for the same occurrence three FIRs have been lodged, there is, however, no specific allegation



against the petitioner, no firearm has been recovered from him and he has not caused any injury to the informant.

Learned APP for the State has opposed the prayer of anticipatory bail of the petitioner.

However, considering the facts and circumstances wherein there is no specific allegation against the petitioner and there are general and omnibus allegations against 60-70 persons as also that the petitioner is said to have been involved in this case simultaneously with two other cases lodged for the same occurrence, save and except those two cases which were lodged simultaneously, no other case is pending against the petitioner, let the petitioner above named, in the event of his arrest or surrender within a period of four weeks from today in connection with Tekari P.S. Case No. 148 of 2017 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Gaya, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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