

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45524 of 2019

Arising Out of PS. Case No.-823 Year-2016 Thana- SAHARSA District- Saharsa

DILIP SHARMA Son of Lakhan Sharma Resident of Village - Bherdhari,
Patuaha, P.S.- Saharsa, District- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 30-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Saharsa Sadar P.S. Case No. 823 of 2016 for the offence punishable under Sections 147, 148, 149, 341, 323, 504, 307, 379, 384, 386 and 387 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is one among 14 persons named in the First Information Report, who, along with other 10-14 persons, had allegedly surrounded the informant's nephew and, at the instigation of co-accused Sanjana Tanti, other co-accused persons had indulged in indiscriminate firing. The informant has further stated in the First Information Report that earlier co-accused Sajan Sharma was demanding extortion.

Learned counsel appearing on behalf of the petitioner appears to be correct in his submission that except for



the fact that he too has been named in the First Information Report with other 13 persons, there is no specific allegation of any overt act against him.

Considering the nature of accusation, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail 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., Saharsa, in Saharsa Sadar P.S. Case No. 823 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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