

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45296 of 2019**

Arising Out of PS. Case No.-64 Year-2019 Thana- OBRA District- Aurangabad

SANNY KUMAR, S/o Sri Santosh Sharma R/o village- Obra, Imambara Road, P.S.- Obra, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Mrityunjaya Kr.Gautam

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 17-09-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Obra P.S. Case no. 64 of 2019, registered under Sections 147, 148, 149, 341, 323, 307, 427 and 504 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that in the evening of 20.03.2019, informant, Rajkumar Sharma, Dharmendra Sharma and Dhananjay Sharma, brothers of the informant, were present at his ply shop. At that time, Sandeep Pandey @ Sonu Pandey, Monu Pandey, Vicky Pandey, Sudhir Sharma and younger son of Santosh Sharma along with 10-15 unknown persons variously armed with weapon came there and started to abuse and damage the articles creating nuisance. When both brothers of the informant made protest then all started cause assault



through lathi, stick and rod. At that time, Vicky Pandey took out the pistol from his waist and made firing due to which stampede took place in the market. In course of Marpit, both brothers of the informant sustained injuries.

Learned counsel for the petitioner submits that while petitioner is named in the F.I.R. as younger son of Santosh Sharma, but no specific overt act has been attributed against the petitioner. Further submission is that petitioner, who is student of Intermediate, has no criminal antecedent and he has falsely been implicated in this case due to village dirty politics.

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 Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Obra P.S. Case No. 64 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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