

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46973 of 2019

Arising Out of PS. Case No.-124 Year-2018 Thana- GAMAHARIYA District- Madhepura

Anil Sharma @ Anil Kumar Das Son of Chhedi Sharma Resident of Village -
Chikni Kharh, P.S.- Gamhariya, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehend his arrest in connection with
Gamhariya Police Station Case No. 124 of 2018 registered for the
offence under Sections 341, 323, 324, 307, 325, 307, 354, 504, 506
and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that petitioner
along with other accused persons assaulted the husband of the
informant causing him gun shot injury near his thigh.

Mr. Uday Chand Prasad, learned counsel for the petitioner
submits that no specific allegation has been leveled against the
petitioner in the first information report and the allegation of firing is
against other named accused, persons, namely, Shyam Sharma @
Wakil Sharma, Kundan Kumar and Pankaj Kumar. He further
submits that petitioner is merely named in the first information report



alleging no overt act against him. Learned counsel further submits that similarly situated co-accused person, namely, Sanjay Sharma @ Sanjay Kumar has been granted anticipatory bail vide order dated 05.04.2019 passed in Criminal Misc. No. 21534 of 2019 by a coordinate Bench of this Court.

Having heard learned counsel for the petitioner and taking into consideration the fact that no overt act has been alleged against the petitioner and the specific allegation of firing is against other co-accused persons and not against the petitioner and similarly situated co-accused has already been granted bail, I am inclined to enlarge the petitioner on bail. Let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from today be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in Gamhariya Police Station Case No. 124 of 2018 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

aks/-rahul

U		T	
---	--	---	--

