

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57068 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- SIKARPUR District- West Champaran

DABLU SHARMA @ MANISH KUMAR SHARMA Son of Sri Surendra
Sharma Resident of Village- Dhumnagar, Tola- Lalgadai, P.S.- Shikarpur,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Shikapur Police Station Case No. 30 of 2019, disclosing
offences under Sections 147/323/341/353/427/188/504 of the
Indian Penal Code.

The allegation against the petitioner is that the
petitioner, along with 100 others, created disturbance to the
informant at the time of removal of encroachment pursuant to an
order passed in Encroachment Case No. 11 of 2017-18.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case inasmuch as
there is no specific allegation against the petitioner to commit



any overt act and further it has not been alleged that the petitioner was carrying any weapon etc. He further submits that altogether more than 100 persons have assembled, as per the allegation, and no assault has been alleged against the encroachment removal team by the accused persons.

After having heard learned Counsel for the parties and taking into consideration the fact that no specific allegation of assault or disturbance has been levelled against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

Accordingly, this application is allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Shikarpur Police Station Case No. 30 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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