

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63411 of 2019**

Arising Out of PS. Case No.-243 Year-2018 Thana- SIDHWALIYA District- Gopalganj

AWADH SHARMA @ AWADH KUMAR SHARMA Son of Nathuni Sharma  
Resident of Village- Sher, Police Station- Sidhwalia, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                          |
|----------------------|---|--------------------------|
| For the Petitioner/s | : | Mr.Javed Aslam           |
| For the State        | : | Rajendra Prasad Nat, APP |

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      21-10-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 323, 447, 448, 341, 342, 427, 379, 308 and 504 of the Indian Penal Code, registered in connection with Sidhwalia P.S. Case No. 243 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute and the FIR has been lodged against as many as 11 persons, who are all family members. Admittedly, the petitioner did not enter into the informant's house, where she was assaulted by all the remaining accused persons and, as such, no assault whatsoever has been attributed to the petitioner. It is submitted that the petitioner's case stands on better footing than other co-accused, namely,



Ramsewak Sharma, Mahendra Sharma and Jai Narayan Sharma @ Jag Narayan Sharma, who have been granted anticipatory bail by this Court in Cr. Misc. No. 37348 of 2019. The petitioner is accused in two prior cases, both of which have been filed by the informant and her son.

4. Be that as it may, in the event of petitioner's arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioner 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 A.C.J.M.-VI, Gopalganj in connection with Sidhwalia P.S.Case No. 243 of 2018, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.



(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned court concerned.

**(Vikash Jain, J)**

HR/-

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