

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1646 of 2020

Arising Out of PS. Case No.-31 Year-2019 Thana- MEHANDIA District- Jehanabad

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DABLU SHARMA @ MUKESH KUMAR Son of Shri Arun Kumar Resident
of Village- Musepur, P.S.- Mehendiya, Distt- Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramanath Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2020 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 341,323,307,386 and
504/34 of the IPC and Section 27 of the Arms Act.

The prosecution case as per the Fardbeyan of Jainath
Yadav alias Jainath Singh recorded by SI Umashankar Singh,
SHO, Mehandia Police Station is to the effect that 19.4.2019 at
7.00 P.M. the informant noticed that Rohit Sharma, Ankit
Sharma and Kariman alias Krishnakant Kumar and two-three



unknown were collecting extortion from the truckers and blocking the road. On protest being made, firing was made by co-accused Rohit Kumar causing injury to the informant. The petitioner was not named in the FIR but subsequently one of the witnesses Sanjay Kumar present on the spot, has taken the name of the petitioner.

It is submitted by learned counsel for the petitioner that the accusation of firing is specific against co-accused Rohit Kumar and only on the basis of statement of co-accused, the petitioner has been roped in the present case. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submitted that the name of the petitioner surfaced in the statement of co-accused.

Considering the specific accusation of firing against co-accused Rohit Kumar and the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Arwal in connection with Mehendiya P.S.



Case No.31 of 2019 subject to the conditions laid down in
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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