

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5816 of 2020**

Arising Out of PS. Case No.-106 Year-2019 Thana- RAHIKA District- Madhubani

RAM SAGAR SHARMA S/o Gopal Sharma R/o village- Kamalpur, P.S.-
Rahika, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 25-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Rahika P.S. Case No. 106 of 2019 corresponding to C.R.I. No. 1571 of 2019 registered for the offence under Sections 147, 148, 149, 341, 323, 504, 506, 332, 333, 337, 338, 188, 427, 353 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is named in the First Information Report. Learned counsel submits that on perusal of the F.I.R. it would be evident that the informant has stated in the F.I.R. that about 500-600 persons were on the place of occurrence but there is no specific allegation of commission of any overt act against this petitioner,



he is a member of mob. Learned counsel further submits that similarly situated co-accused Ravindra Jha has already been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr. Misc. No. 11549/2020 and further that petitioner has got no criminal antecedent.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that though the petitioner is named in the First Information Report but there is no specific allegation of commission of any overt act is there against him, he is said to be a member of the mob of around 400-500 persons who were protesting the killing of one Ajit Kumar and further submission that similarly situated co-accused Ravindra Jha has already been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr. Misc. No. 11549/2020, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Rahika P.S. Case No. 106 of 2019 corresponding to C.R.I. No. 1571 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the



like amount each to the satisfaction of learned A.C.J.M. 1st Madhubani, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

