

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13023 of 2020

Arising Out of PS. Case No.-206 Year-2019 Thana- BHARGAMA District- Araria

1. Mukesh Sharma @ Mukesh Kumar Chaupal Son of Tarachand Sharma Resident of Village - Aadirampur, Ward No. 7, P.S.- Bhargama, Distt - Araria.
2. Babloo Sharma @ Babloo Kumar Chaupal Son of Late Rameshwar Sharma Resident of Village - Aadirampur, Ward No. 7, P.S.- Bhargama, Distt - Araria.
3. Tarachand Sharma Son of Late Rameshwar Sharma Resident of Village - Aadirampur, Ward No. 7, P.S.- Bhargama, Distt - Araria.
4. Mira Devi Wife of Late Rameshwar Sharma Resident of Village - Aadirampur, Ward No. 7, P.S.- Bhargama, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in **Bhargama P.S. Case No. 206 of 2019**, registered for the offence punishable under Sections 341, 323, 354, 354A, 354B, 354C, 354D, 379, 502B and 504 of the Indian Penal Code.

Mukesh Sharma petitioner no. 1 is alleged to have snapped naked photograph of the informant while she had gone to attend the call of nature and showed her naked photograph in order to make physical relation with the informant. Babloo



sharma petitioner no. 2 torn the clothes of informant and Tarachand Sharma petitioner no. 3 snatched cash of Rs. 16,000/- from the pocket of the husband of informant.

It is submitted that petitioners have falsely been implicated in this case due to previous enmity. Nothing has been recovered from conscious possession of this petitioner. All the sections are bailable sections except 354, 354B and 379 of the IPC which have been added with a view to make the offence serious. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioner nos. 2, 3 and 4 above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Judicial Magistrate Ist Class, Araria** in connection with **Bhargama P.S. Case No. 206 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of Mukesh Sharma petitioner no. 1 is concerned, there is specific allegation of snapping naked photograph and threatening the informant.



In view of the nature of allegation, I am not inclined to enlarge the Mukesh Sharma petitioner no. 1, on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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