

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27902 of 2020

Arising Out of PS. Case No.-19 Year-2020 Thana- LAUKARIA District- West Champaran

Dhananjay Sharma, Son of Daya Sharma @ Dayanand Sharma, Resident of
Village-Narainapur Gonauli, Police Station- Balmikinagar, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-11-2020 Since as of now the Courts have not resumed

normal physical hearing, the matter has been listed today

for consideration through video conferencing.

The learned counsels are appearing and making

submissions from their residence.The Court Master and

Secretary are also part of this virtual Court proceedings

from their homes, all with the aid of audio visual

technology.

Mr.Umanath Mishra, learned APP is appearing for

the State as it is submitted that the brief has been allotted to

him by the office of Advocate General.

Heard learned counsel for the petitioner and the

learned APP for the State.



The petitioner seeks bail in connection with Laukariya P.S. Case No.19 of 2020 registered for the offence punishable under Sections 10 and 13(a)(b) of the U.A.P. Act.

The allegation in the F.I.R. is that in order to establish superiority and supremacy in the area, 12 persons have been pasting posters of Maoist ideology in the village.

Learned counsel for the petitioner submits that no one has seen or claimed to have seen the petitioner pasting any of the posters. The allegation is merely on suspicion and the petitioner has falsely been implicated in this case. The petitioner is in custody since 22.03.2020 and has no criminal antecedents. It is further submitted that co-accused Shankar Guru @ Shankar Mahato, with more or less similar allegations, has been allowed bail in Cr.Misc. No.27463 of 2020, vide order dated 21.10.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned A.C.J.M.1st, Bagaha, West Champaran, in connection with Laukariya P.S. Case No.19 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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