

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23998 of 2020

Arising Out of PS. Case No.-513 Year-2019 Thana- HILSA District- Nalanda

1. SUJEET KUMAR @ SUJEET KUMAR SHARMA Son of Rajeshwar Singh @ Rajeshwar Sharma Resident of Village - Akbarpur, P.S.- Hilsa, District - Nalanda.
2. Amarjeet Kumar Son of Sujeet Kumar @ Sujeet Kumar Sharma Resident of Village - Akbarpur, P.S.- Hilsa, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-10-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner no.2. Accordingly, the present petition stands dismissed as withdrawn qua the petitioner no. 2, however, with liberty to him to surrender before the learned court below and seek regular bail.

Heard the learned counsel for the petitioner no.1 and Shri Dilip Kumar No.1, the learned A.P.P. appearing for the State.



The petitioner no.1 apprehends his arrest in connection with Hilsa P.S. Case No. 513 of 2019 for the offence punishable under Sections 504, 307 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

The allegation is regarding the petitioner no.1 and other accused persons having arrived at the house of the informant, whereafter they had assaulted his brothers and had also fired upon them. One of the brothers of the informant namely Rabindra Sharma is stated to have sustained grievous injuries.

The learned counsel for the petitioner no.1 has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that a general and omnibus allegation has been levelled against the petitioner no.1 herein and there is no specific allegation of any sort of overt act as against him.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that there is no specific allegation of any sort of overt act, as against the



petitioner no. 1 herein, I deem it fit and proper to admit the petitioner no.1 to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioner no.1, above named, is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa (Nalanda) in connection with Hilsa Case No. 513 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Mohit Kumar Shah, J)

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