

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37903 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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ANUP SHARMA @ APPU SHARMA Son of Late Ramnath Sharma
Resident of Village- Lakhpatia More, P.S.- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Gopalganj Town P.S. Case no. 235 of 2019 instituted for
the offence punishable under Sections 279, 341, 323, 307, 379
and 506/34 of the Indian Penal Code.

As per prosecution story, when the informant was
going with her husband by motorcycle, at Lakhpataiya More,
one Manoj Sharma and his wife dashed with their vehicle and



creates a chaos and called their family members and some musclemen. They reached at the place of occurrence, armed with lathi, danda, hammer and country made pistol and started assaulting to the informant and her husband and snatched Rs. 2,00,000/- from them. Later on, husband of the informant died during course of treatment.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. In fact, informant and her husband got injured in a motorcycle accident and the said FIR has been instituted in order to take undue advantage of the situation. Allegations against the petitioner is general and omnibus in nature. He has got no criminal antecedent. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has strongly opposed the prayer of bail and stated that there is specific allegation of assault against the petitioner due to which husband of the informant succumbed to the injuries during treatment. This is not a fit case for granting anticipatory bail to the petitioner.

Having heard learned counsel for the parties and



considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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