

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12255 of 2021

Arising Out of PS. Case No.-220 Year-2019 Thana- KURTHA District- Jehanabad

NIRAJ KUMAR S/o Vijay Sharma R/o village- Lari, P.S.- Kurtha, District-
Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lakhmi Kant Tiwary, Advocate
		Mr. Nitesh Kumar, Advocate
For the Opposite Party/s :		Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-12-2021 Heard Mr. Lakshmi Kant Tiwary, learned

Advocate for the petitioner and Mr. Jagdhar Prasad,

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Kurtha P.S. Case No. 220 of
2019 dated 13.12.2019 instituted for the offences under
Sections 341, 323, 379, 506/34 of the Indian Penal
Code and Sections 27/30 of the Arms Act.

The occurrence appears to be the aftermath of
PACS election. It has been alleged in the FIR that when
the informant came out of the polling booth, he was



assaulted by the accused persons including the petitioner. With respect to the petitioner, it has further been alleged that he opened fire from his rifle which injured him.

Learned counsel for the petitioner has submitted that the informant was upset with Ranjan Sharma, son of Vijay Sharma, who had threatened him that he did not vote according to his wishes, he would be assaulted. The informant has, therefore, chosen to implicate the petitioner, who is an Army personnel and son of aforesaid Vijay Sharma, brother of Ranjan Sharma.

There is no injury on the informant which can be attributed to the petitioner. Only because the informant wanted to feed fat the grudge with Ranjan Sharma that the name of the petitioner has also been added in the FIR. All other accused persons have been granted bail either anticipatory or regular.

Regard being had to the aforesaid facts and



taking into account that the petitioner is an Army personnel, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal in connection with Kurtha P.S. Case No. 220 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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