

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.170 of 2021

Arising Out of PS. Case No.-823 Year-2016 Thana- SAHARSA SADAR District- Saharsa

DINESH SHARMA, S/o Parmeshwari Sharma, R/o village- Bharadhari
(Paluaha), P.S.- Saharsa, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anant Kumar 1

For the Opposite Party/s : Ms. Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 21-08-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 31.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Saharsa Sadar P.S. Case no. 823 of 2016, registered under Sections 147, 148, 149, 341, 323, 504, 307, 379, 384, 386 and 387 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that 14 persons named in the F.I.R., including the petitioner, along with 10-15 unknown, all of sudden, surrounded the nephew of the informant Prabhash Tiwary and started to cause assault. In the meantime, Sanjana Tanti asked to kill, on which Sajan Sharma, Bidyanand Sharma and Raushan Yadav starting firing. When informant selected as



Chairman of PACS then Sajan Sharma had demanded ransom of Rs. 50,000/- giving threatening of dire consequences in case of non-fulfillment of demand of ransom. At that time, out them them, three persons snatched gold chain and cash of Rs.5000/- from the nephew of the informant.

Learned counsel for the petitioner submits that while the petitioner is named in the F.I.R., but no specific overt act has been attributed against him. Further submission is that while petitioner is accused in Saharsa P.S. Case No. 906 of 2016, as detailed in para-03, but he is on bail in that case.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Saharsa Sadar P.S. Case No. 823 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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