

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7861 of 2021

Arising Out of PS. Case No.-105 Year-2020 Thana- RANIYATALAB District- Patna

MANTU SHARMA @ MANTU KUMAR SON OF SATYENDRA SINGH
R/O VILL.- KHAPURI, P.S.- DULHIN BAZAR, DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvan Kumar

For the Opposite Party/s : Mr. Arvind Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner apprehends his arrest in Ranitalab
P.S. Case No.105 of 2020 registered for the offences punishable
under Section 302/34 of the Indian Penal Code and Section 27
of the Arms Act pending in the Court of learned Additional
Sessions Judge-VII, Danapur, Patna.

The prosecution case, in short, is that the accused
persons fired at the elder brother of the informant due to which
he sustained injuries and later died.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to village politics and enmity. The petitioner is not named in the F.I.R. His name has been transpired in this case on the basis of confessional statement of co-accused, Ritesh Kumar. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is also submitted that the similarly situated co-accused, Pawan Sharma has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 17.03.2021 passed in Cr. Misc. No.34340 of 2020. The petitioner has two criminal antecedents.

Learned APP for the State vehemently opposing the bail petition submitted that though the petitioner is not named in the F.I.R. but there is ample material in the case diary to support his accusation.

Considering the facts and circumstances of case and particularly considering the criminal antecedents, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on



the same day in accordance with law without being prejudiced
by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

U			
---	--	--	--

