

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16836 of 2022**

Arising Out of PS. Case No.-70 Year-2021 Thana- MEHANDIA District- Jehanabad

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AVNISH SHARMA @ AVINASH KUMAR @ AVNISH KUMAR S/O SRI
MITHLESH SHARMA RESIDENT OF VILLAGE- CHANDA, P.S.
MEHANDIA, DISTRICT- ARWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishore, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 34 of the Indian Penal Code and 27 of the Arms Act.

The informant alleges that on 12.06.2012¹ at 6:30 pm while he was returning home on his bike with his nephew, he was intercepted by a truck carrying sand which hit his bike on which the informant protested then four accused including the petitioner started assaulting him and his nephew with lathi and stick, it is next alleged that Aniket Sharma shot fire causing injury on the right wrist of the informant due to which he fell unconscious.

Learned counsel for the petitioner submits that the



petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that from perusal of the injury report brought on record by way of a supplementary affidavit, it would manifest that the injury is simple in nature. Learned counsel next submits that even presuming what has been alleged is true without accepting, then the allegation of firing is against Aniket Sharma causing injury to the informant and as far as this petitioner is concerned, the allegation against him is general and omnibus in nature, it is also submitted that there is admitted dispute between the informant and the petitioner. Learned counsel next submits that a compromise petition was also filed on intervention of the well wishers as would be evident from Annexure-2 to the anticipatory bail application.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahendia P.S. Case No. 70 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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