

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29844 of 2022

Arising Out of PS. Case No.-398 Year-2021 Thana- JAHANABAD District- Jehanabad

1. Gaurav Kumar Son Of Mithilesh Sharma @ Mithilesh Kumar R/O Village - Patel Nagar, Raza Bazar, P.S. - Jehanabad, Bihar.
2. Sumit Kumar Son Of Amrendra Singh R/O Village - Rasalpur, P.S.- Parasbigha, Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2022 Learned Counsel for the petitioners submits that petitioner no.2 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no.2.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no.2.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail with regard to petitioner no.1.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office



will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner is said to have come and started abusing and assaulting the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and have been falsely implicated in this case. There is general and omnibus allegation against the petitioner. He submits that the injury found upon the victim is simple in nature. He submits that all sections are bailable except Section 27 of the Arms Act. He submits that there is no arms recovered from the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period



of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jehanabad (Town) P.S. Case No. 398 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Anjani Kumar Sharan, J)

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