

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61366 of 2021

Arising Out of PS. Case No.-274 Year-2012 Thana- MUFFASIL District- West Champaran

SUNIL KUMAR SHARMA @ SUNIL KUMAR Son of Sri Rameshwar Sharma Resident of Village- Auraiya Ujradih, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 13-07-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner apprehends his arrest in connection with Bettian Muffasil P.S. Case No. 274 of 2012, registered for the offences punishable under Sections 341, 323, 324, 307/34 of the Indian Penal Code.

As per allegation, the present petitioner along with his brother Anil Kumar Sharma and his mother were engaged in uprooting crops belonging to the informant. The allegation against the petitioner is that he assaulted the informant's father



with *farsa*.

Learned counsel for the petitioner has submitted that during investigation no material emerged against the petitioner as such he was not sent up for trial by the investigating authorities but differing with the opinion of the investigating authorities the learned Chief Judicial Magistrate took cognizance also against the petitioner amongst other co-accused persons. She has submitted further that though the cognizance order was passed in the year 2015 but till now no process has been served upon the petitioner, as such, he was not aware with the fact that cognizance has been taken against him.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Bettiah Muffasil P.S. Case No. 274 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner shall appear personally on each and every date till framing of the charge unless prevented by any



exceptional circumstances.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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