

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9822 of 2023

Arising Out of PS. Case No.-193 Year-2020 Thana- KURTHA District- Jehanabad

1. SHAILESH KUMAR SHARMA S/O Late Shiv Kumar Sharma R/O Village- Simuara, P.S- Kurtha in the district of Arwal
2. Manoj Kumar S/O Late Bhagwan Singh R/O Village- Bara, P.S- Kurtha in the district of Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv.

For the Opposite Party/s : Mr.Renu Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 353, 379, 427, 504, 506 of the Indian Penal Code.

The allegation levelled against the petitioners is that petitioner no.1 snatched the golden chain from the neck of the informant and petitioner no.2 took Rs. 10,000/- from his pocket.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Petitioner no.1 is Assistant Teacher whereas petitioner no.2 is a Clerk posted at High School, Hanti. No such occurrence as



alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that some dispute has been arisen between the parties due to transfer and posting matter and this false case has been lodged against them with a view to make undue pressure. No any person got injured. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submitted that an application for grant of bail has been filed on behalf of the petitioners before the learned court below which was rejected on the ground that the conduct of the petitioners is not proper. Hence, the petitioners do not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in



connection with Kurtha P.S. Case No. 193 of 2020, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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