

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15298 of 2023

Arising Out of PS. Case No.-248 Year-2019 Thana- DIGHWARA District- Saran

Jai Prakash Sharma @ J.P. Sharma Son Of Radhemohan Sharma R/O
Ganghara, P.S.- Shahpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-05-2023 Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per prosecution case, all the F.I.R. named accused
persons including this petitioner assaulted the son of the
informant and caused fire arms injury on his head as a result of
which, he died on the spot.

Learned counsel appearing for the petitioner submits
that specific accusation of causing firing is against co-accused,
namely, Indal Singh. Petitioner is only alleged to be member of
the mob and there is no allegation of any overt act against him.
It is further submitted that similarly situated co-accused persons



have already been granted anticipatory bails by co-ordinate Bench of this Hon'ble Court *vide* orders dated 10.02.2022 and 08.12.2021 passed in Cr. Misc. No. 29391 of 2021 and Cr. Misc. No. 16246 of 2021 respectively.

Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chhapra in connection with Dighwara P. S. Case No. 248 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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