

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27448 of 2023

Arising Out of PS. Case No.-507 Year-2022 Thana- KONCH District- Gaya

CHINTU SHARMA @ SHASHIKANT KUMAR Son of Brajesh Sharma @
Brajesh Kumar Resident of village - Tankuppa, P.S.- Konch, District - Gaya.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate
For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 147, 148, 149, 307, 353, 337, 427, 332 and 504 of the Indian Penal Code, Sections 25(1-b)A, 26, 35 of the Arms Act and Sections 37(2) and 45 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

The informant alleges that he along with police force went to a dance programme on receiving information that some persons are brandishing weapons. Further when the informant along with police force reached the place of occurrence there one Mantu Sharma was arrested from whom a weapon was



recovered. It is further alleged that several persons including the petitioner came and tried to free Mantu Sharma and in that scuffle took place which led to injuries of policemen and damaging of police weapon.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot. It is further submitted that no specific allegation has been alleged against any of the accused persons. It is next submitted that the injuries suffered by the policemen is minor and the allegation of damaging the weapon of the police is ornamental to give a serious colour to the case. Learned counsel also submits that petitioner was not even present at the place of occurrence rather he came at the place of occurrence after the occurrence was over but came to be falsely implicated at the instance of the Chawkidar when admittedly he is a person with clean antecedent.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/-



(Rupees Twenty 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 Konch P.S. Case No. 507 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailors of the petitioner shall be his father Brajesh Sharma @ Brajesh Kumar.

(Satyavrat Verma, J)

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