

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32072 of 2023**

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

=====

ASHOK SHARMA @ ASHOK KUMAR Son of Late Ramvilash Sharma @  
Ramvilash Singh Resident of village - Tankuppa, P.S. - Konch in the distt. of  
Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar, Advocate  
For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      24-05-2023                      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 one Mantu Sharma was arrested from a dance programme and was found drunk and was carrying a pistol also. It is further alleged that accused persons including the petitioner gathered and tried to free Mantu Sharma from the custody of the police and thus started pelting stones and destroyed the weapon of the police.



Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner is not alleged to have committed any offence under the Excise Act. It is next submitted that even allegation of pelting stones and damaging the weapon is general and omnibus in nature when admittedly petitioner 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.10,000/- (Rupees Ten 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.

**(Satyavrat Verma, J)**

Kundan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

