

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4541 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- KHIJARSARAI District- Gaya

=====

MUKESH SHARMA @ MUKESH KUMAR Son of Late Bachan Sharma
R/v- Mai, Post- Chiraili, P.S.- Khezersarai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal
For the Opposite Party/s : Mr. Md. Ataur Rahman

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-06-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Khizersarai P.S. Case No.208 of 2022, registered for the offence punishable under Sections 147, 341, 323, 307, 379 and 506 of the Indian Penal Code.

As per the FIR, the petitioner and other co-accused persons brutally assaulted the brother of the informant and also snatched his belongings on the point of gun.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the



petitioner. He further submits that the co-accused Suchit Sharma has been granted anticipatory bail by a co-ordinate Bench of this Court. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that from the perusal of the injury report (enclosed in the case diary), it is apparent that the injury of the informant's brother is grievous in nature.

Having regard to the facts and circumstances of the case as the injury is grievous in nature, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

