

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16755 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

Vikash Sharma, Son Of Late Omprakash Sharma, Resident Of Village -
Janardanpur, P.S. - Durgawati, District - Kaimur At Bhabua

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Durgawati P.S. Case No. 318 of 2023, registered for the offences under Sections 448, 341, 323, 354, 379 and 427/34 of the Indian Penal Code.

3. As per prosecution case, petitioner and co-accused persons assaulted the informant and his son and took away gold chain and tops. They also pulled down the wall in the courtyard. Again on the next day, this petitioner in drunken condition started assaulting the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Both sides are agnates and there is some land dispute



between the parties and on this account, this false case has been lodged. Prior to lodging of the present case, co-accused Rita Devi has lodged Durgawati P.S. Case No. 317 of 2023 under Sections 341, 323, 354 and 509 of IPC against one Pakhandu Hajam and in retaliation thereof, the present case has been lodged. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of allegation against the petitioner and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Mohania, Kaimur at Bhabhua/court concerned in connection with Durgawati P.S. Case No. 318 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the



petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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