

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51633 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- PASRAHA District- Khagaria

1. Boku Sharma @ Upendra Sharma Son of Late Bindeshwari Sharma R/O Vill.- Bari Paikant, P.s.- Pasraha, Dist.- Khagaria.
2. Davendra Sharma Son of Late Bindeshwari Sharma R/O Vill.- Bari Paikant, P.s.- Pasraha, Dist.- Khagaria.
3. Ranvir Sharma Son of late Bindeshwari Sharma R/O Vill.- Bari Paikant, P.s.- Pasraha, Dist.- Khagaria.
4. Manish Sharma @ Manish Kumar @ Sangam Rai @ Sangham Raj Son of Devendra Sharma R/O Vill.- Bari Paikant, P.s.- Pasraha, Dist.- Khagaria.
5. Pramod Sharma Son of Sudhir Sharma R/O Vill.- Bari Paikant, P.s.- Pasraha, Dist.- Khagaria.
6. Mehta Sharma Son of Darogi Sharma R/O Vill.- Bari Paikant, P.s.- Pasraha, Dist.- Khagaria.
7. Mithilesh Thakur Son of Late Ramswarup Thakur R/O Vill.- Bari Paikant, P.s.- Pasraha, Dist.- Khagaria.
8. Manish Sharma @ Manish Kumar Sharma Son of Bindi Sharma @ Vindeshwari Sharma R/O Vill.- Bari Paikant, P.s.- Pasraha, Dist.- Khagaria.
9. Bhusi Das Son of Nirdhan Das R/O Vill.- Bari Paikant, P.s.- Pasraha, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-08-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case
registered for the offences punishable in connection with
Pasraha P.S. Case No. 42 of 2024 under Sections 341, 323, 379,



504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against 9 named accused persons (all petitioners) against whom there is an allegation that they have reached at the night at the Jalkar of the informant and started firing and looted the materials kept there.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that all the sections are bailable except Section 27 of the Arms Act and Section 279 of I.P.C.

5. Learned counsel further submits that the ingredient of offence under Section 27 of the Arms Act against Boku Sharma only. Section 27 of the Arms Act is not made out against the petitioners.

6. Learned counsel also submits that antecedent of the petitioners are clean and name of these petitioners has been inserted by virtue of local village politics.

7. Learned APP for the State opposes the prayer for bail and submits that allegation of snatching of money is there against petitioner No.1.

8. In the present facts and circumstances, let the above named petitioner Nos. 2 to 9, are hereby released on anticipatory



bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Khagaria, in connection with Pasraha P. S. Case No. 42 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. So far as bail application of petitioner No.1 is concerned, it is hereby rejected.

(Dr. Anshuman, J)

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