

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88411 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- Mufassil District- Khagaria

Bhavesh Sharma @ Bhavesh Kumar S/o Sharvan Sharma R/o Village-
Chandranagar Rako, P.S.- Muffasil (Khagaria), District- Khagaria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Seema Kumari

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Muffasil (Khagaria) P.S. Case No. 36/2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, petitioner is said to have snatched the gold ornament from the neck of the informant and also assaulted him by means of fists and slap. It is alleged that co-accused, Nitish Kumar, took away Rs. 2000/- from the pocket of the informant. It is further alleged that co-accused, Rana @ Aditya Kumar, fired upon the informant which did not hit the informant. It is further alleged that co-accused,



Sachin Kumar @ Kajal, fired upon the informant which hit his right leg.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears criminal antecedent of one case. He further submits that there is no specific allegation of firing against the petitioner rather specific allegation of firing is against co-accused Rana @ Aditya Kumar and Sachin Kumar @ Kajal. The allegation under Section 379 of the IPC is super addition to make the case graver. Learned counsel further submits that police station is at distance of 03 K.M. from the place of occurrence then how the injured persons went to the Police Station for lodging the FIR.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Muffasil (Khagaria) P.S. Case No. 36 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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