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1. Angad Sharma S/o Jeebachh Sharma R/o Sirbar, P.S. Mahishi, District

Petitioner/s

Versus

1 The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. S. Eheteshmuddin (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN

Heard learned counsel for the petitioner as well

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The petitioner seeks bail in a case registered for

Allegedly the husband of the informant w

taken away by co-accused Bhushan Kumar at 4 P.M. and

20.12.2013 and in the evening at about 7 P.M. the informa

informed that he husband Jay Prakash Sharma is senseless on the

bank of river. Thereafter he died at Sadar Hospital Saharsa during

treatment It is alleged that Bhushan Sharma due to earlier dispute

has killed the husband of the informant and threw the dead body

and during investigation the name of the petitioner has transpired



The submission is of false implication and that there is no direct evidence and cogent materials and the petitioner and others have been implicated along with the first information report named accused persons. The materials collected are very weak and they have disclosed in paragraphs 61, 62 and 63 that the deceased along with the petitioner and others were junketing. There is no any connecting material for implicating the petitioner and as such the petitioner deserves sympathetic consideration who is suffering in custody since 16.05.2015 having no criminal antecedent. It is also submitted that other similarly situated co-accused Shivji Sharma has been allowed bail by another coordinate bench of this Court vide Cri. Misc. No. 18126 of 2015 by order dated 29.06.2015.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances and considering that the co-accused has already been allowed bail and there is no chance of tampering with the evidence of prosecution, the above named petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned J.M. Ist Class, Saharsa in connection with Mahishi P.S. Case No. 160 of 2013, subject to the conditions that one of the bailors must be a near

relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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