

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51272 of 2014

Arising Out of PS.Case No. -52 Year- 2014 Thana -BITHAN BAZAR District- SAMASTIPUR

=====

1. Sakindra Sharma Son of Ramdeo Sharma R/o Village sihma, P.S. Bithari,
District Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh

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

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 03-03-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149 and 302 of the I.P.C

Allegedly the petitioner and other co-accused being
armed came and started assaulting the husband of the informant
causing head injury and after some time he succumbed to the
injuries.

Submission is that in the postmortem report no injury
has been found on the head of the deceased. As a matter of fact the
deceased was patient of Asthma and due to that he fell down and
died and the petitioner and others have been implicated in this case
due to land dispute. No such occurrence has taken place and the

petitioner is suffering in custody since 22.06.2014 having no specific allegation. In this case charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer for bail.

Considering the submission and noticing that there is general and omnibus allegation and charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Md. Manzoor Alam, J.M. Ist Class, Rosera in Bithan P.S. Case No. 52 of 2014/ G.R. No. 601 of 2014, 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)

Abhay/-

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