

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7697 of 2016

Arising Out of PS.Case No. -251 Year- 2014 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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Raja @ Raj Kumar Sharma, Son of Ram Ashish Sharma, resident of
Villgae- Badi Yusufpur, Police Station- Industrail Area Hajipur, District-
Vaishali at present Mohalla- Malin Gali Aamgola, P.S.- Kazi
Mohammadpur, District- Muzaffarpur.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachin Kumar
For the Opposite Party/s : Mr. Anil Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 18-04-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is seeking bail in
connection with Kazi Mohammadpur P.S. Case No. 251 of 2014
for offence under Section 302/34 of the Indian Penal Code.

As per allegation made by the wife of the victim, the
petitioner had came to his house to take her husband, giving
assurance that Rs. 35,000/- that he has taken will be returned to
him. The relationship was very cordial but, later on, it was found
that he has been fallen from the top floor of the house.

Allegation has been against the petitioner to have
killed her husband. The death has taken place on account of fall

from the top of the floor of the house. The postmortem report also suggests that there is a fracture of the skull on account of injury sustained by the victim. Learned counsel for the petitioner submits that there was a friendly relationship with the victim and there was no occasion to throw him down from the top of the building. When the Informant know the real story, she filed an application that under the wrong impression, she has lodged First Information Report. It was a natural fall from the top of the building. The petitioner is in judicial custody since 16.12.2015.

Looking to the facts and circumstances of the case, let the petitioner, namely, Raja @ Raj Kumar Sharma be released on bail on 20.5.2016 on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Muzaffarpur in connection with Kazi Mohammadpur P.S. Case No. 251 of 2014, subject to the condition that if the petitioner is found absent on any day before the court below in course of trial, the court below will be at liberty to pass any order even cancellation of the bail.

(Shivaji Pandey, J)

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