

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6485 of 2016**

Arising Out of PS.Case No. -183 Year- 2015 Thana -SIKARPUR District-  
WESTCHAMPARAN(BETTIAH)

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1. Binay Sharma son of Late Nageshwar Sharma, Resident of village-  
Hardiya Chowk Narkatiyaganj P.S.- Shikarpur, District- West Champaran  
..... Petitioner

Versus

1. The State of Bihar .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No.-7  
For the Opposite Party/s : Mr. Anil Kr.Singh(App)

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

3      07-04-2016                      Heard learned counsel for the petitioner and learned APP  
for the Sate.

The petitioner seeks bail in connection with Sikarpur  
P.S. Case No. 183 of 2015 registered for the offences punishable  
under Sections 399, 402, 414, 120B of the Indian Penal Code and  
Sections 25(1-B)a, 26, 35 of the Arms Act.

Allegedly, acting on a tip off, raid was conducted and  
then from the rented house of co-accused, Vikash Kumar  
Srivastava and three others were apprehended with arms and  
ammunitions and they disclosed that the petitioner being in jail  
custody has directed to kill Taiyab Ansari the husband of the  
Sarpanch.

Submission is of false implication and that co-accused  
Vikash Kumar and Vikash Kumar Srivastava who were

apprehended have already been allowed bail by different Benches of this Court and besides the confessional statement of co-accused there is no other material and as such the petitioner who is suffering in custody since 04.12.2015 deserves sympathetic consideration to which learned APP opposes by submitting that the petitioner is involved in four more cases.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Sikarpur P.S. Case No. 183 of 2015, 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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