

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8307 of 2016

Arising Out of PS.Case No. -33 Year- 2013 Thana -DERNI District- SARAN

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Raushan Sharma @ Rashan Sharma @ Roshan Sharma son of Shailesh Sharma alias Shailu Sharma, Resident of village - Bhetwaliya, Police Station - Derani, District - Saran at Chapra.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. M.Rab (App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302 and 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Derni P.S. Case No.33 of 2013.

3. It is submitted that the petitioner has been falsely implicated and after due investigation, the police has exonerated the petitioner by filing a final form. Differing with the same, however, cognizance has been taken merely on the ground that the petitioner's involvement is not free from doubt. Clearly therefore, there is no material against the petitioner.

4. Having regard to the entirety of the facts and

circumstances of the case, as such, in the event of the arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Derni P.S. Case No.33 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions :-

(i) The petitioner shall co-operate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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