

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58402 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -KUMARGHAND District- MADHEPURA

Sunil Kumar, Son of Ramanand Sharma Resident of Village - Haribola,
P.S.- Kumarkhand (Bhatani O.P.), District - Madhepura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Digvijay Kumar Ojha, Advocate
For the State : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 25-01-2016

Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in a case filed
under Sections 302, 120B and 34 of the Indian Penal Code.

As per the allegation, the father of the petitioner,
namely, Ramanand Sharma had fired upon the informant's father,
namely, Nirdhan Sharma causing his death. It is contended that
allegation against the petitioner is only to the extent that on prior
occasion, i.e., on 13.05.2015, there was altercation between
Nirdhan Sharma and Ramanand Sharma and, thereafter, he talked
to his son on mobile and on 14.05.2015, Ramanand Sharma killed
the father of the informant. It is contended that there is no
allegation of any overt act upon the petitioner and even it is

assumed that on 13.05.2015 there was some talk on mobile between the petitioner and his father, co-accused, Ramanand Sharma, it would not mean that the petitioner is involved in killing as there is direct allegation of assault upon Ramanand Sharma. It is further submitted that petitioner is in Government service and he is having clean antecedent.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Kumarkhand P.S. Case No.69 of 2015, the above named petitioner, Sunil Kumar shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of the C.J.M., Madhepura subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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