

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44716 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -SAHKUND District- BHAGALPUR

Amresh Kumar Sharma, S/o Hardeo Sharma, Resident of Village- Kelapur,
Police Station- Kajraili, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 29-11-2016 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

The present case was lodged against unknown after
recovery of a dead body. However, in course of investigation, the
family members of the deceased identified the dead body of the
deceased which is evident from perusal of para-35 of the case
diary. Subsequently, the mother of the deceased disclosed that
deceased had left his home along with Gautam Singh.
Subsequently, it also came to light that one Dablu Kumar Singh,

Rahul Kumar and Gautam Singh were seen in the company of the deceased. The location of mobile phones of aforesaid accused was found near the place of occurrence. So far as petitioner is concerned, for the first time, his name came in this case on 03.06.2016 when some witnesses claimed to have seen the petitioner in the company of the deceased and others prior to the alleged occurrence. The statement of aforesaid witnesses was recorded near about after five months of the alleged occurrence.

No doubt, the prayer for bail of co-accused, Dablu Singh @ Sonu has already been rejected by a co-ordinate bench of this court but the case of petitioner is on quite different footing to that of co-accused, Dablu Singh @ Sonu.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner does not have any criminal antecedent, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI, Bhagalpur in connection with Sessions Trial No. 623 of 2016 arising out of Shahkund P.S. Case No. 16 of 2016.

(Hemant Kumar Srivastava, J)

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