

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33176 of 2017

Arising Out of PS.Case No. -11 Year- 2013 Thana -BANMANKHI District- PURNIA

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1. Jagdish Sharma son of Late Jaglu Sharma
2. Anil Sharma @ Sunil Sharma son of Prem Lal Sharma @ Parmeshwari Sharma
Both Resident of Village- Makhnaha, Sharma Tola, P.S.- Banmankhi,
District- Purnea.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Dr. Bidhu Ranjan, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 10.04.2017 in connection with Banmankhi P.S. Case No. 11 of 2013 for the offences alleged under Sections 147, 148, 149, 323, 324, 326, 307 and 302 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated and in any event, the thrust of accusation of assault is on co-accused, namely, Dayanand Yadav and Bhanti Sharma, who are said to have shot arrows on the deceased. The said two main assailants along with other co-accused have been granted bail by this Court in Cr. Misc. No. 25537 of 2013 and so also co-accused, namely, Parmeshwari Sharma and Dewan Sharma @ Rewan Sharma have been granted bail by this Court in Cr. Misc. No. 12247 of 2017. No overt act or assault is attributed to the petitioners, who claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above named



be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Banmankhi P.S. Case No. 11 of 2013 with the following conditions:

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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