

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1028 of 2017

Arising Out of PS.Case No. -26 Year- 2015 Thana -BELDAUR District- KHAGARIA

- =====
1. Vidhan Sharma, Son of Jagdish Sharma Resident of Village-
Musakipur, P.S. Gogari, District- Khagaria.
 2. Parmanand Sharma, Son of late Mahendra Sharma, Resident of Village-
Paura, P.S.- Gogri Paura, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 08-03-2017 Heard learned counsels for the petitioners and the

State.

The petitioners, who are in custody, seek bail in connection with Beldaur P. S. Case No. 26 of 2015 instituted under Sections 302, 201 and 120B/34 of the Indian Penal Code.

The allegation, in brief, is that petitioner no. 2 had taken the informant's father to his house on 01.02.2015 for his operation, but he did not return back and he went to lodge the FIR on 07.02.2015 as dead body of his father was found from some other place.

It is submitted that the petitioner no. 2 is the brother-in-law of the deceased and there is no question of killing his own brother-in-law; except that he had gone with him, there is



no other material against him. It is submitted that he had left his house much earlier and as per postmortem report conducted on 08.02.2015, the death was around within 24 hours i.e., after 7:00 AM on 07.02.2015. It is submitted that there was no any enmity in between the petitioners and the deceased and only suspicion is raised against the petitioner no. 2 and these petitioners have no criminal antecedent, except one case under Section 498A of the Indian Penal Code against the petitioner no. 1 and one co-accused Sudhir Sharma has been granted bail by a co-ordinate Bench of this Court by order dated 14.10.2015 in Cr. Misc. No. 2056 of 2015 and in this case charge sheet has been submitted against the petitioners.

Having considered the aforesaid facts and circumstances, let the petitioners, namely, Vidhan Sharma and Parmanand Sharma, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Khagaria in connection with Beldaur P.S.Case No. 26 of 2015.

(Arun Kumar, J)

Sujit/-

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