

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25824 of 2017

Arising Out of PS.Case No. -27 Year- 2007 Thana -BARAUNI District- BEGUSARAI

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1. Ram Badan Sharma, S/o Ram Deo Sharma R/o Village-Saraunza, P.S. Birpur, District-Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 11-07-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Birpur Town Police Station Case No. 27 of 2007, disclosing offences under Sections 147, 148, 149, 302 of the Indian Penal Code.

The First Information Report was lodged against unknown. It appears that in course of investigation at later stage, some of the witnesses turned up, who named this petitioner and other persons. However, police, upon completion of investigation, submitted final form and did not send any person up for trial. Learned Chief Judicial Magistrate, Begusarai, however, took cognizance of the



offences and summoned the accused persons. Some of the persons, whose names had surfaced in course of investigation, had approached this Court, seeking anticipatory bail, which has been allowed by order, dated 10.03.2017, passed in Criminal Misc. No. 10617 of 2017.

This Court, while allowing anticipatory bail to said co-accused persons, has considered the materials referred to in the order passed by the learned Sessions Judge to the effect that no substantive material in the case diary was there.

Considering the facts and circumstances of the case, this application is allowed.

Let the petitioner, Ram Badan Sharma, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Begusarai, in connection with Birpur Police Station Case No. 27 of 2007, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of



failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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