

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16531 of 2017

Arising Out of PS.Case No. -264 Year- 2016 Thana -SIRDALA District- NAWADA

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Tarkun Sharma, son of late Sanjay Singh, resident of village Bhadasi,
P.S. Arwal, Dsitric Arwal

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Girish Singh, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 13.02.2017 in connection with Sirdalla P.S. Case No. 264 of 2016 for the alleged offences under Sections 147, 148, 149, 341, 323, 379, 427, 436, 504, 506, 387 of the Indian Penal Code, Section 27 of the Arms Act and Sections 15, 18, 19, 20 of the Unlawful Activities (Prevention) Act.

3. It is submitted that the petitioner has been falsely implicated and the informant has named as many as 63 persons with their complete address which itself casts serious doubt upon the veracity of the accusations. No recovery of any incriminating articles has been made from the possession of the petitioner. No accusation of overt act has been imputed to the petitioner. Similarly situated co-accused Jawahar Yadav and Karu Yadav have been granted bail by this Court in Cr. Misc. No. 12323 of 2017. The petitioner is on bail in respect of the only other prior case in which he has been made accused.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody



since 13.02.2017 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Sirdalla P.S. Case No. 264 of 2016 on the following conditions :-

(i) That one of the bailors shall be a close relative of the petitioner.

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

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

(iv) That the petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/Ibrar

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