

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22287 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -NAUBATPUR District- PATNA

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1. SRIKANT SHARMA @ SALLU @ SHREEKANT @ SHABLU @
SRIKANT KUMAR @ SRIKANT S/o-Shailesh Sharma Resident of
Village-Abhranchak, P.S.-Naubatpur, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh
Ms. Prativa Kumari

For the Informant : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-05-2018 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the informant as

well as learned Additional Public Prosecutor for the State.

The petitioner has been in custody since
05.02.2018 in connection with Naubatpur P.S. Case No.
05/2018 registered for the offences punishable under
Sections 302/120(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel for the petitioner submits
that the allegation against the petitioner is wholly
misconceived and has been generated only because the
father of the present petitioner has succeeded in the
Panchayat Election in which the deceased was also a



candidate. It is further submitted that though the petitioner is specifically named in the First Information Report, yet the witnesses of the village have not stated that there was any enmity between the two parties, save and except, some minor dispute which occurred during the course of election. It is further submitted that the confessional statement made before the police by one Gulab Singh also do not indicate the name of the present petitioner and, therefore, only on the basis of remote allegations and suspicion, the petitioner has been taken into custody.

Learned counsel appearing on behalf of the informant is also present and submits that the petitioner has got a criminal antecedent and the same has been withheld from this Court.

However, learned counsel for the State after perusal of the case diary does not support the said submission.

Having heard learned counsel for the petitioner and learned counsel for the informant as well as learned counsel appearing on behalf of the State, let the petitioner above named, 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 the A.C.J.M.-II, Danapur, Patna, in connection with Naubatpur P.S. Case No. 05/2018, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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