

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.444 of 2018

Arising Out of PS. Case No.-168 Year-2017 Thana- PANCHRUKHI District- Siwan

Jaiki Sharma, Son of Sharma Sharma @ Sharmanand Sharma, Resident of
Village- Chap, Tola Jeet Patti, P.S.- Pachrukhi (Sarai O.P.), District- Siwan
... Petitioner

Versus

The State of Bihar ... Respondent

Appearance :

For the Petitioner : Mr. Krishna Kant Singh, Adv.
For the Respondent : Mr. Jagdhar Prasad, APP 203

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-05-2018

Heard learned counsel for the petitioner and the State.

This is a case under Sections 328. 302 and 34 of the Indian Penal Code in which the petitioner is in custody in connection with J. Trial No. 20 of 2018 arising out of Pachrukhi (Sarai) P.S. Case No. 168 of 2017.

Counsel for the petitioner submits that the petitioner is in custody since 13.09.2017. There is no eye witness of the case. The name of the petitioner figured merely on suspicion in the written report on the basis of information given to the informant on mobile by one Chandan Kumar, son of the informant. In the written report, it is alleged that when the informant had gone to work as mason, his son Chandan Kumar informed him on phone that when he had gone to market, his co-villager, Jaiki Sharma, entered into the house of his sister and administered poison to her. The informant came to his house and found his daughter in critical condition. She was taken to



Sadar Hospital where she died. From the written report, it appears that neither the informant nor Chandan Kumar is eye witness.

The appeal preferred by the petitioner was dismissed by the Court below.

The petitioner has been declared as juvenile and his age has been assessed as 16 years and 6 months. He is said to be in custody since 13.09.2017.

Considering the entire facts and circumstances, aforesaid, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with J. Trial No. 20 of 2018 arising out of Pachrukhi (Sarai) P.S. Case No. 168 of 2017 to the satisfaction of the Juvenile Justice Board, Siwan, subject to the conditions that one of the bailors will be close relative of the petitioner and one of bailors will be father of the petitioner.

This Criminal Revision is accordingly allowed.

(Sanjay Priya, J)

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