

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8387 of 2019

Arising Out of PS. Case No.-199 Year-2018 Thana- JANKINAGAR District- Purnia

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1. SUNIL SHARMA, aged about 24, Male, Son of Gulo Sharma,
 2. Anil Sharma, aged about 22 years, Male, Son of Gulo Sharma
 3. Manil Sharma, aged about 18 years, Male, Son of Gulo Sharma, all are Residents of Madhuwan Ward No.3, P.S.- Jankinagar, District- Purnea
- ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party : Mr. Bharat Lal, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 14-02-2019 Heard the learned counsel for the petitioners and the learned counsel appearing for the State.

The petitioners are languishing in judicial custody since 24.11.2018 in connection with Jankinagar P.S. Case No. 199 of 2018 for the offences alleged under Sections 307, 506, 120B and 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that while she was sleeping with her husband in the night, at 02.00 p.m., the petitioners, along with one Santosh Sharma, came and the co-accused, Santosh Sharma, fired on her husband, which hit him on the eye near the head, who was taken to the hospital for treatment.

It has been submitted by the learned counsel for the petitioners that they are innocent and just because they are alleged to be associates of co-accused, Santosh Sharma, have been falsely implicated in the aforesaid case. He submits that the main allegation of firing is upon co-accused, Santosh Sharma, and no overt-act has been



alleged against the petitioners.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, above named be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Jankinagar P.S. Case No. 199 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Purnia, subject to the following conditions :

(i) One of the bailors of each of the petitioners would be a close relative having sufficient immovable property, who will file an affidavit stating his/their relationship(s) with the petitioner(s).

(ii) Petitioner(s) will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his/their bail bonds.

(Nilu Agrawal, J)

Shamshad/-

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