

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22245 of 2019

Arising Out of PS. Case No.-92 Year-2018 Thana- KHUDAGANJ District- Nalanda

Ram Kumar Sharma, aged about 34 years, (M) Son of Dinesh Sharma,
Resident of Village-Parsurai, Police Station-Khudaganj, District-Nalanda
(Bihar Sharif).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Narendra Kumar, Advocate
For the Opposite Party	:	Mr. J.K. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-07-2019 Heard learned senior counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 304(B) and 201/34 of the Indian Penal Code
registered in connection with Khudaganj P.S. Case No. 92 of 2018.

3. It is submitted that the petitioner has been falsely
implicated merely because he happens to be the younger brother of
the deceased. The petitioner has been living separately from the
deceased and her husband since partition was effected in the year
2016. The petitioner resides out of State for earning his livelihood.
The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel appearing suo
motu has been heard. Learned APP has not pointed out any objective
materials in the case diary against the petitioner.

5. Be that as it may, in the event of the petitioner's arrest
or surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner 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 Additional Chief Judicial Magistrate, Hilsa (Nalanda) in connection with Khudaganj P.S. Case No. 92 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and with further 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 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.

(iv) 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.

(Vikash Jain, J)

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