

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.909 of 2019

Arising Out of PS. Case No.-533 Year-2017 Thana- SAUR BAZAR District- Saharsa

Deban Sharma @ Devan Sharma S/o Late Ramdeo Sharma R/vill-Sahuriya
East P.S Sour Bazar and Distt.-Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh, Adv.

For the Opposite Party/s : Mr.Sri Sadanand Paswan (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 17-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 134 of 2018 corresponding to Sour Bazar P.S. Case No. 533 of 2017, registered for the offences punishable under Sections 341, 323, 307, 504, 506 & 34 of the Indian Penal Code, Section 27 of Arms Act, Section 3(1)(r) of SC & ST Prevention of Atrocities Act and Section 11 of Prevention to Cruelty of Animal Act.

Allegation against petitioner and other F.I.R. named accused is of causing fire arm injury on the right leg of the informant and also fired on a goat killing it

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case on the basis of suspicion. There is no eye-witness of the occurrence. Petitioner has no criminal



antecedent. Similarly placed co-accused have been granted bail by this court and by co-ordinate bench of this court as contained in Annexures 2 and 3.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-Additional District & Sessions Judge 1st at Saharsa, in connection with Special Case no. 134 of 2018 corresponding to Sour Bazar P.S. Case No. 533 of 2017, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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