

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78375 of 2018

Arising Out of PS. Case No.-418 Year-2018 Thana- KUDHNI District- Muzaffarpur

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Sujit Sharma @ Sujit Kumar, S/o. Ram Naresh Sharma @ Naresh Thakur,
Resident of village - Chhajan Harishankar, @ Chajjan Sangram, P.S. Kudhani,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv.

For the Opposite Party/s : Mr.Sri Surendra Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 06-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Kudhani P.S. Case No. 418 of 2018 (G.R. No.
2914 of 2018) registered for the offences punishable under
Sections 394, 302 and Section 414 of the Indian Penal Code.

Informant has alleged that while his brother was
taking the goods loaded on his truck he was kidnapped and
murdered in midway and his dead body was thrown and the
truck with the sariya loaded over it were looted away by
miscreants. F.I.R. is against unknown however during
investigation on the basis of information received from spy four
persons were implicated in this case namely, Karunesh Mishra



@ Dhanna, Ranjeet Kumar, Basant Kushwaha and Santosh Paswan and from possession of co-accused the looted articles was also recovered from the house of Basant Kushwaha.

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 his self-confession and except his self-confession there is no other incriminating materials against the petitioner. Nothing has been recovered from his possession and he has no criminal antecedent and even the accused who have been apprehended have not named petitioner. Petitioner is in custody since 25.08.2018.

Considering the aforesaid facts 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 A.C.J.M., 3rd, West Muzaffarpur, in connection with Kudhani P.S. Case No. 418 of 2018 (G.R. No. 2914 of 2018), 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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