

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33687 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- ARARIA District- Araria

1. SHIV NARAYAN SHARMA Son of Late Turai Sharma Resident of Village - Kumhra Gopalpur, Ward No 13, P.S.- Bausi Basaithi, District - Araria.
2. Kundan Sharma @ Shankar Sharma Son of Shiv Narayan Sharma Resident of Village - Kumhra Gopalpur, Ward No 13, P.S.- Bausi Basaithi, District - Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Mrigendra Kumar, Advocate

For the Opposite Party : Mr.Awadhesh Kumar Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-08-2019 Heard learned counsel for the petitioners, the State as well as perused the case diary.

Petitioners are accused in a case registered for the offence under sections 392/302/201/34 of the Indian Penal Code.

Informant had lodged a case with the police regarding missing of his driver with tractor and trolley with mentioning of a mobile number of a person who had engaged his tractor at the relevant time. Police, in course of examining call detail reports of the aforesaid mobile number, came to know that the said number belonged to one Pawan Sharma and he was in contact with the petitioner during the intervening period.

Learned counsel for the petitioners submits that the



petitioners are poor stage artist and have falsely been implicated in this case on suspicion and the FIR is against unknown. He submits that merely on the basis of a trace of victim's mobile number in the CDR of their mobile number, involvement of the petitioners cannot be substantiated in absence of any incriminating material collected by the police so far. They have got no criminal antecedent and are in custody since 4.2.2019 and 8.2.2019 respectively.

Considering the facts of the case, let both the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Araria Police Station Case No. 78 of 2019, subject to the condition that the petitioners shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioners.

(Prabhat Kumar Singh, J)

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