

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35571 of 2019

Arising Out of PS. Case No.-109 Year-2018 Thana- SACHIVALAYA District- Patna

SHARWAN KUMAR Son of Shri Lal Babu Sahani @ Karu Sahani Resident of Village - Chero, P.S.- Harnaut, Dist.- Nalanda, Bihar. At Present residing at near Sachivalaya in front of Gate No.3, Jhopar- Patti, P.s.- Sachivalaya, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rai Mukesh Sharma
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-07-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Sachivalaya P.S. Case No. 109 of 2018 (Sessions Trial No. 337 of 2019)**, instituted for the offence under Section(s) 394 of the Indian Penal Code, but charge sheet has been submitted against the petitioner under Sections 394, 397, 411, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that on 14.8.2018 the informant was sleeping in her house. At about 3-3.30 a.m. when she woke up for toilet then found missing of bed sheet on bed and also Inverter was switched off. She asked from her husband but in the meantime, three criminals with pistol came



and shot fire on chest of her husband. Out of three criminals, one was blackish short height aged about 30-35 years was wearing blackish shirt and trouser and other two were aged about 20-25 years, out of them one had worn red colour shirt and another was blonde and worn blue shirt. All had worn jeans and talking in local language. All criminals came by crossing wall from north side and by uprooting rods of Grill entered into the house. All criminals took Rs.40,000/- cash, 3-4 gold chain, 8-9 Kanbali, two gold bracelet, silver Payal, one black mobile set and one Samsung Mobile set. After taking all articles, criminals fled away. Her husband was aged about 59 years and posted in *Sachiwalaya*.

Counsel for the petitioner submits that petitioner is not named in the written report. His name has come in the confessional statement of co-accused Sunny Kumar who has already been granted bail by coordinate Bench of this Court vide order dated 27.6.2019 passed in Cr. Misc. 36805 of 2019.

Petitioner is in custody since 14.8.2018.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned **Additional District & Sessions Judge-XIV, Patna**, in connection with **Sachivalaya P.S. Case No. 109 of 2018 (Sessions Trial No. 337 of 2019)**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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