

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61300 of 2018

Arising Out of PS. Case No.-38 Year-2015 Thana- BHANGWANPUR HAT District- Siwan

Buchan Sharma @ Ravindra Sharma, Son of Late Jagarnath Sharma, Resident
of Village-Rith, Police Station-Ekma, District-Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Sri Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 07-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
21.08.2017 in a case registered for the offences punishable
under Sections 399, 402, 414 and 412/34 of the Indian Penal
Code.

The prosecution case as per the self statement of
Ramekbal Prasad, Station House Officer of Bhagwanpur Hat
Police Station is to the effect that a secret information was
received on 19.02.2015 that some miscreants have gathered near
a temple and are planning to commit a serious offence, leading
to raid on the place in question and subsequently, seven accused
persons were apprehended on the spot while three other escaped
from the scene. It is alleged that the apprehended accused



persons named the other three persons who escaped from the scene.

It is submitted by learned counsel for the petitioner that the petitioner is neither named in the First Information Report nor any recovery has been made from the petitioner's possession and since the petitioner is having criminal antecedent, hence, he has been roped in the present case. It is further submitted that co-accused Rajesh Nut has been granted bail vide order dated 06.04.2017 passed in Cr. Misc. No. 15984 of 2017. Though, the petitioner is accused in 17 other cases but he is on the bail in all the cases.

Considering the fact that the petitioner's name sprang up on the confession of the apprehended co-accused and no incriminating has been recovered from his possession, let the above named petitioner 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 6th Additional District & Sessions Judge, Siwan in connection with Sessions Trial No. 74 of 2018, arising out of Bhagwanpur Hat P.S. Case No. 38 of 2015.

Keeping in view the criminal antecedent of the petitioner, the petitioner will not leave the territorial jurisdiction



of district of Saran without permission of the learned District Judge and petitioner will report to the Bhagwanpur Hat police station twice in a month.

The learned trial Court will positively cancel the bail bonds of the petitioner, if he substantially gets involved in similar nature of the offence.

(Dinesh Kumar Singh, J)

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