

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53947 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- DUMARIYA District- Gaya

BRIJNANANDAN SHARMA @ BRIJNANDAN SHARMA, aged about 50 years, Gender, Male, Son of Shree Mistry, Resident of Village- Bhangia, P.S.- Dumaria, District- Gaya. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajesh Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 01-10-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 326, 338, 302/34 of the Indian Penal Code.

Informant who is the wife of the deceased has alleged that her husband was Munshi employed in an under construction building and on 09.03.2019 at 8 p.m., he left the house for duty after having meal. On 10.03.2019, his dead body was found. Informant suspected that due to previous enmity and dispute petitioner has killed her husband.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has



further been submitted that except suspicion, there is no any other incriminating material against the petitioner. Informant has raised suspicion against other co-accused also. Petitioner is suffering from HIV since 2012-13 and he is under treatment. Petitioner is in custody since 14.03.2019.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Dumariya P.S. Case No. 5 of 2019 with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

Sanjay/-

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