

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74376 of 2019**

Arising Out of PS. Case No.-445 Year-2018 Thana- NARPATGANJ District- Araria

MUSHARU SHARMA @ MASHARU KHATVE S/o Late Danai Sharma  
R/o Village- Simrahi Pathardeva Sonapur, P.S.- Bathnaha, District- Araria  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar Rana  
For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      27-11-2019                      Heard learned counsel for the parties.

This application for anticipatory bail arises out of Narpatganj (Bathnaha) P.S. Case No. 445 of 2018, disclosing the offence under Section 307 and other allied Sections of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the police have completed the investigation and submitted their report under Section 173 of the Cr.P.C. whereby the petitioner has not been forwarded, in the absence of any evidence collected in course of investigation. Necessity of filing of the present anticipatory application has arisen because after taking cognizance of the offence, the court below has summoned this petitioner also. He has further submitted that since the investigation is complete, no purpose would be served if the



petitioner is taken into custody.

I am of the view that a case for grant of anticipatory bail is made out since the investigation is complete and the police have not found any material against him, at the time of submission of charge-sheet.

This application is accordingly allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Araria in Narpatganj (Bathnaha) P.S. Case No. 445 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Rajesh/-

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