

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19648 of 2020

Arising Out of PS. Case No.-263 Year-2017 Thana- CIVIL LINE District- Gaya

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RAUSHAN SHARMA @ RAUSHAN KUMAR SHARMA @ PANDIT,
Male, aged about 19 years, S/O- Surendra Sharma, Resident of Mohalla -
Gopal Ganj, Gaurakshani, P.S. - Sasaram(T), District - Rohtas.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Rameshwar Singh, Advocate.

For the Opposite Party : Mr.Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 363, 366, 379/34 of the IPC. Later on,
Section 302 of the IPC was also added.

The prosecution story, in brief, is that the informant
has a Scorpio vehicle bearing Registration No. BR2AC-4472
and the vehicle was driven by his driver, namely, Shakil. On
15.06.2017 at about 8.00 A.M. his driver demanded his vehicle



and told him that he wants to go to Aurangabad for personal work and he will return till evening but he did not return till evening, then he called on Mobile No. 0993928600, but the Mobile was switched off. Later on, his dead body was found in Chenari and the Scorpio vehicle in accidental condition was also found in Chauparan Police Station of Hazaribagh.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 18.12.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has transpired in the present case on the basis of confessional statement of co-accused Vikash Kumar. Co-accused Vikash Kumar has been granted bail by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 13665 of 2018 under order dated 27.04.2018 annexed as Annexure-3 series to the present application.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case



and also the lockdown, let the petitioner above named, be released on bail on his personal bond to the satisfaction of the learned C.J.M. Gaya in connection with Civil Lines P.S. Case No. 263 of 2017.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

(Sudhir Singh, J)

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