

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19871 of 2020

Arising Out of PS. Case No.-18 Year-2020 Thana- NAUGACHIA District- Bhagalpur

1. Sanjay Sharma, aged about 35 years, M, Son of Haribol Sharma @ Harimohan Sharma, Resident of Village- Khairho, P.S.- Puraini, District- Madhepura.
2. Haribol Sharma @ Harimohan Sharma, aged about 60 years, M, Son of Late Chanchal, Resident of Village- Khairho, P.S- Puraini, District- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ranjan Kumar Jha, Advocate.
For the Opposite Party : Mrs. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 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.

Learned counsel for the petitioners 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.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek bail in a case for the offences registered under Sections 302 and 201/34 of the I.P.C.



The prosecution case, in short, is that the son of the informant, namely, Nitish Kumar Gupta had been murdered by the criminals and his dead body was thrown away by pressing his neck. The deceased was driving the Tractor which was loaded with potatoes but the Tractor also remained traceless which was seized by the police.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 19.01.2020 and have got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioners. The name of the petitioners has transpired in the present case on the basis of suspicion. Except suspicion, there is no other substantive evidence to suggest the implication of the petitioners in the present case. There is no eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners, above named, are directed to be released on bail on their personal bond to the satisfaction of learned A.C.J.M. Ist, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No. 18 of 2020.



Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) each 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.

(Sudhir Singh, J)

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