

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24150 of 2020**

Arising Out of PS. Case No.-158 Year-2019 Thana- BARAUNI District- Begusarai

PAWAN SHARMA Son of Ghanshyam Tanti @ Ghanshyam Shurma Resident  
of Village - Fatehpur, P.S.- Gogari, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mrs. Meena Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      27-11-2020                      Heard Mr. Shubhesh Pandey, learned counsel for the  
  
petitioner and Mrs. Meena Singh, learned Additional Public  
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Barauni  
P.S. Case No. 158 of 2019 registered for the offences punishable  
under Sections 363 and 365 of the Indian Penal Code 1860.

The allegation as per the First Information Report is  
that brother of the informant namely, Mahesh Kumar Tanti had  
gone to his friend's house namely Sajjan Sharma and told that  
he would come tomorrow. Thereafter, the Mobile Phone of  
brother of the informant got switched off and he was traceless.

Learned counsel for the petitioner submits that the  
petitioner has not committed any offence in the manner alleged  
and he is not named in the First Information Report. Learned



counsel further submits that petitioner has been made accused in this case merely on the basis of confessional statement of co-accused Ranjan Sah. The confessional statement of the petitioner was also recorded. Learned counsel also submits that in fact, the petitioner was earlier taken into custody by the Police, and when the Police did not find any evidence against the petitioner after interrogation, he was released on P.R. bond. Subsequently, confessional statement of the petitioner along with co-accused Ranjan Sah was recorded in which the petitioner has allegedly said that victim has been killed by all the accused persons and the dead body has been thrown in the Kosi river. Learned counsel next submits that the co-accused Ranjan Sah has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 25402 of 2020.

On the other hand, learned counsel for the State referring to the case diary submits that the confessional statement of the petitioner and co-accused Ranjan Sah were recorded who have stated that they along with other co-accused persons have killed the victim and they have thrown the dead body in the Kosi river. Learned counsel further submits that charge sheet has been submitted under Section 302 IPC also.

Having heard learned counsel for the parties and taking



into consideration the materials on record and the fact that similarly situated co-accused person has been granted bail by a co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular 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, Begusarai, in connection with Barauni P.S. Case No. 158 of 2019 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J)**

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