

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26696 of 2020

Arising Out of PS. Case No.-174 Year-2020 Thana- AMARPUR District- Banka

BHOLA SHARMA S/o Late Harshit Sharma Resident of Village-Chapri
(Bhikhanpur), Police Station-Amarpur, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Amarpur P.S. Case No.

174 of 2020, registered for the offence punishable under

Sections 120(B), 302 and 34 of the Indian Penal Code.

As per prosecution case, on 06.04.2020 at 8.30 pm,

informant's brother Kishori Chaudhary (deceased) went to

deliver the milk at the dairy shop of Pappu Sharma, but he did

not return. During search, one Amit informed him that the dead

body of Kishori Chaudhary was lying in the orchard of

Company Sharma. Thereafter informant went there and saw

dead body of his brother. The informant alleged that one



Parmanand Thakur along with others killed his brother.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Balram Sharma. Save and except the confessional statement of co-accused, there is no material against this petitioner. Petitioner has got clean antecedent, as stated in para 3 of the bail petition and he is in custody since 12.04.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarapur P.S. Case No. 174 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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