

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27130 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- SARAI District- Vaishali

SHYAM KISHOR SHARMA @ TUNTUN SHARMA Son of Late Satya Narain Sharma Resident of Village - Fatepur Fulbariya, P.S.- Sarai in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-11-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Since the physical court proceeding is non-functional, due to present pandemic, COVID-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of physical court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 467, 468, 471, 420, 504 & 506/34 of the Indian Penal Code.



The petitioner in association of other co-accused are said to have hatched up criminal conspiracy and illegally executed a sale deed in favour of co-accused Kiran Devi with respect to 19 decimals of land. It is further alleged that previously a case was lodged by her against the petitioner and co-accused bearing Sarai P.S. Case No.336 of 2019 regarding the ancestral property of Calcutta which is under investigation.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to ancestral undivided land which is in dispute. Both the parties are co-sharer (Devar and Bhabhi). There is case and counter case between the parties. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has no criminal antecedent. Similarly situated co-accused, namely, Kiran Devi, who is wife of the petitioner, has been enlarged on bail by a co-ordinate bench of this court vide order dated 21.10.2020 passed in Cr. Misc. No. 27215 of 2020.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIII, Vaishali at Hajipur in connection with Sarai P.S. Case No. 16 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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