

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33175 of 2020**

Arising Out of PS. Case No.-63 Year-2020 Thana- KOCHAS District- Rohtas

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BABU LAL SHARMA Son of Late Ram Charitar Thakur Resident of Village
- Bastalwa, Police Station - Kochas (Parsathua), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Vikram Deo Singh with Mr. Sada Nand Roy
	:	Mr.Shankar Kumar
For the Opposite Party/s	:	Mr.Bhanu Pratap Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-12-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of Kochas (Parsathua)P.S. Case No. 63 of 2020 registered for the offence punishable under Sections 302, 120B/34 of the Indian Penal Code, 1860 and Section 27 of the Arms Act.

Mr. Vikram Deo Singh, learned counsel appearing on behalf of the petitioner has argued that the police upon conclusion of investigation, have submitted police report, though charge-sheet has been submitted against other co-accused persons, the petitioner has not been sent up for trial by the police. The Court below has differed with the police report



and proceeded against this petitioner also against whom there is no tangible material.

Considering the circumstance that the investigation is complete and according to the police, there was no material for the petitioner being sent up for trial and there is no material to suggest that the petitioner may tamper with the evidence or evade the process of trial, this application is allowed.

Let the petitioner, above named, be released 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 Additional Chief Judicial Magistrate- 1st, Rohtas at Sasaram in Kochas (Parsathua) P.S. Case No. 63 of 2020.

(Chakradhari Sharan Singh, J)

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