

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63589 of 2019**

Arising Out of PS. Case No.-234 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

RAM ASHISH SHARMA Son of Late Bibhuti Sharma Resident of Village-
Babu Ke Bahuara, P.S.-Kochas, District-Rohtas at Sasaram ... Petitioner
Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Tribhuvan Narayan, Advocate
For the Opposite Party : Mr. Damodar Pd Tiwary, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 23-01-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under section 395 of the IPC.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on suspicion and the FIR is against unknown. Stolen motorcycle has been recovered from the possession of co-accused Prabhat Kumar. Nothing incriminating has been recovered from the petitioner. Petitioner has not been put on test identification parade (TIP) till date Petitioner is in custody since 23.6.2019. Charge sheet has also been filed in the case, as such, there is no chance of tampering with the evidence.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 Chief Judicial Magistrate, Kaimur at Bhabua in Mohania Police Station Case No. 234 of 2019, GR No. 1106/2019 on the following conditions:-

(1) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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