

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13724 of 2021

Arising Out of PS. Case No.-330 Year-2020 Thana- BAGHA District- West Champaran

VINAY SHARMA @ VINAY KUMAR SHARMA S/O LATE
NAGESHWAR SHARMA R/O VILLAGE KHAJURIA BARWA BARAULI,
POLICE STATION-SHIKARPUR, DISTRICT-WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No 7, Adv
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-08-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Bagaha (Bhairoganj) P.S. Case No. 330 of 2020 registered under Sections 394 and 120B of the IPC and Section 27 of the Arms Act.



The informant has alleged that he had gone to collect some money due in the course of business of his employee. While he was on his way with 8-10 lakhs cash and blank checks the driver (co-accused Vinod Sah) has stopped the vehicle. The same has facilitated loot of the amount. The informant resisted and has been fired upon by one of the four alleged miscreants who had come on motorcycle.

Learned counsel submits that petitioner is not named in the FIR. There is no recovery of any incriminating material from the petitioner. By virtue of his implication in six cases earlier, in which he is on bail, he has been roped in this case without any basis. He has also not been put on T.I. Parade though the victim has survived the incident. Against co-accused Vinod Sah informant has made allegation by name and he has been allowed bail in Cr. Misc. no. 9719/2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st Bagaha, West



Champaran in Bagaha (Bhairoganj) P.S. Case No. 330 of 2020
subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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