

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14826 of 2021

Arising Out of PS. Case No.-315 Year-2020 Thana- SAHPUR District- Patna

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1. Guddu Kumar, Son of Ram Pravesh Sharma, Resident of Village - Gangahara, P.S.- Shahpur, Distt.- Patna
 2. Kari Sharma @ Santosh Kumar, Son of Ram Pravesh Sharma, Resident of Village - Gangahara, P.S.- Shahpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 27-09-2021 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in connection with Shahpur P.S. Case No.315 of 2020 instituted for the offence punishable under Sections 147, 148, 149, 307, 302 of the Indian Penal Code and Section 27 of the Arms Act.

There is case and counter case of murder. Specific allegation is there against co-accused Sonu Kumar son of Praduman Sharma and Satish Sharma son of Dharmdeo Sharma to have fired from their rifle causing injury and death of Jitendra Sharma, the brother of the informant.

Submission is that no overt act is alleged against



petitioner nos.1 and 2, who are in custody since 25.08.2020 and 27.08.2020 respectively. It is submitted that similarly situated co-accused Satish Sharma has been allowed bail in Cr.Misc. No.14388 of 2021, vide order dated 14.09.2021. Petitioner No.1 is accused in one more case pending against him since before and Petitioner No.2 is accused in two more cases as per the details contained in paragraph 3 of the bail petition.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur, District-Patna, in connection with Shahpur P.S. Case No.315 of 2020, subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related



with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

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

(Madhuresh Prasad, J)

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