

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35164 of 2020

Arising Out of PS. Case No.-222 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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KRISHNA KUMAR SHARMA @ KRISHNA KUMAR @ LURKA
SHARMA @ LURAK SHARMA S/o Umesh Sharma @ Bhojal Sharma
Resident of Village-Chhoti Shankh, P.S.-Muffasil, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 448, 376, 511, 506 of the
Indian Penal Code.

Prosecution case is that when the informant was
sleeping in her house, petitioner came at his house and tried to
commit rape. On raising alarm, accused-petitioner tried to kill
her. In the meantime, her brother and co-villagers came there,
thereafter, he fled away.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is case and counter case between the



parties. He submits that both the parties are co-villagers and matter relates to love affairs. He submits that victim is the major. He submits that police after investigation submitted charge-sheet in the present case. He further submits that petitioner is languishing in judicial custody since 09.05.2020.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 222 of 2020, subject to the conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(IV) The petitioner shall co-operate with the investigation, if not already concluded and make himself



available as and when so required and in case of failure, the
State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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