

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33651 of 2020

Arising Out of PS. Case No.-186 Year-2019 Thana- MAHISHI District- Saharsa

1. GULSHAN SHARMA, Son of Baleshwar Sharma Resident of Village- Naharvar, P.S.- Mahishi, District- Saharsa.
2. RAVI SHARMA, Son of Jhulan Sharma Resident of Village- Naharvar, P.S.- Mahishi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-05-2021 Heard Mr. Pramod Mishra, learned counsel for

the petitioners and Mr. Ram Priya Sharan Singh, learned

APP for the State.

The petitioners seek bail in anticipation of their
arrest in connection with Mahishi P.S. Case No. 186 of
2019, instituted for the offences under Sections 147,
148, 149, 120(B), 302, 504 and 506 of the Indian
Penal Code.

Though the petitioners have been named in the
F.I.R. along with twelve other accused persons but
without any specific accusation. It has been alleged in



the F.I.R. that the dead body of the deceased was kept at the *verandah* of the informant, who is father of the deceased and who claims to have seen the petitioners and others running away in another direction.

The learned counsel for the petitioners has submitted that except for wild suspicion, there is no material against the petitioners.

On the contrary, it has been asserted on behalf of the petitioners that the inquest report and the witnesses of the inquest spoke clearly about the deceased being involved in love affairs with the son of a co-villager, which was not to the liking of the father of the girl.

Apart from this, there is no other material against the petitioners. The petitioners are co-villagers and only because, in the estimation of the informant they are supporters of the other accused persons, they have been made accused in this case.



Regard being had to the afore-stated facts and the clean antecedents of the petitioners, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Mahishi P.S. Case No. 186 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

The bail petition stands allowed.

(Ashutosh Kumar, J)

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