

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38044 of 2020**

Arising Out of PS. Case No.-344 Year-2020 Thana- SAMASTIPUR MUFFASIL District-  
Samastipur

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RAVI KUMAR SHARMA @ RAVI CHANDRA SHARMA SON OF TEJ  
NARAIAN SHARMA RESIDENT OF VILLAGE JITWARPUR CHOUTH  
DISTRICT P.S.-SAMASTIPUR- MUFFASIL, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No 7, Advocate  
For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      15-04-2021                      Heard Mr. Sanjay Kumar No. 7, learned  
counsel for the petitioner and the learned APP for the  
State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Samastipur (Muffasil) P.S. Case  
No. 344 of 2020 dated 17.08.2020 instituted for the  
offences under Sections 302, 201 and 34 of the Indian  
Penal Code and Section 27 of the Arms Act.

The FIR has been lodged against 11 named  
accused persons and 15-20 unnamed accused persons.  
It has been alleged in the FIR the son of the informant  
was brutally assaulted and killed. In the last part of the  
FIR, it has been stated that the informant came to learn  
that the petitioner also was present at the time of the  
occurrence and had participated in the same.



Learned counsel for the petitioner has submitted that he is handicapped by 52% and has wrongly been made accused in this case only on the basis of guess-work of the informant. The source of information about the petitioner's participation in the occurrence has not been disclosed in the FIR.

Apart from this, it has been submitted that the deceased had about 11 cases to his credit and therefore the possibility of his having been killed at the hands of his enemies cannot be ruled out.

The petitioner has clean antecedents.

Considering the aforesaid facts, the petitioner is directed to be released on bail, in the event of his 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 his furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, II<sup>nd</sup>, Samastipur in connection with Samastipur (Muffasil) P.S. Case No. 344 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However, it is directed that the petitioner shall participate in the investigation till the time the case is investigated and if he is charge sheeted, he would participate in the trial. Any failure of the petitioner to do



so would render his anticipatory bail liable to be cancelled at any stage.

**(Ashutosh Kumar, J)**

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