

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4188 of 2021

Arising Out of PS. Case No.-174 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

RAJ KUMAR SHARMA SON OF CHANDESHWAR SHARMA
RESIDENT OF VILLAGE - LALPUR, P.S. - RUNNI SAIDPUR, DISTRICT
- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 20.04.2020 in connection with Runnisaidpur P.S. Case No. 174/2020 registered for the offences punishable under Sections 382/34 of the Indian Penal Code.

As per the prosecution case, on 20.07.2020 at about 01:00 O'clock, this petitioner along with other accused persons armed with axe and knife entered into the *Math* of the informant and tried to commit theft. However, they were caught and handed over to the police.

It is submitted on behalf of the petitioner that he has been falsely implicated in this case and no offence under



Section 382 IPC is made out and due to dispute between fish and fisheries, this petitioner has been made accused in this case. It is further submitted that similarly situated co-accused person (Sonu Kumar) has already been granted bail by this Court vide order dated 29.08.2020 passed in Cr. Misc. No. 25278 of 2020. Chargesheet has already been submitted in this case. Petitioner has got no criminal antecedent and he is in custody since 20.04.2020.

Considering the aforesaid facts and circumstances and the period of custody, coupled with the fact that petitioner has got no criminal antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned ADJ-VII, Sitamarhi, in connection with Runnisaidpur P.S. Case No. 174/2020, subject to following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.



(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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