

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6151 of 2022

Arising Out of PS. Case No.-88 Year-2020 Thana- UPHARA District- Aurangabad

NEERAJ SHARMA S/o- Sri Sabindra Sharma R/o Village- Mahdipur, P.S.-
Uphara, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Section 302 / 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, this petitioner alongwith other F.I.R. named co-accused, armed with pistol, surrounded the husband of informant and thereafter, co-accused Golu Sharma fired upon him, as a result of which, the husband of informant died during course of treatment. It is further alleged that while husband of informant was being taken to hospital, he told the informant that co-accused Golu Sharma had fired.

It is submitted on behalf of petitioner that petitioner has been falsely implicated and he committed no offence. As per F.I.R. itself, specific allegation of firing is against co-accused Golu Sharma and so far as this petitioner is concerned, he is



only alleged to be member of the unlawful assembly. There is no allegation of firing against this petitioner. Similarly situated co-accused Munna Sharma has already been granted bail by the court below itself and petitioner is in custody since 21.01.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – XIV, Aurangabad in connection with Sessions Trial No. 215 of 2021, arising out of Uphara P.S. Case No. 88 of 2020.

(Prabhat Kumar Singh, J)

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