

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26243 of 2021**

Arising Out of PS. Case No.-449 Year-2020 Thana- BASANTPUR District- Siwan

BABLU SHARMA @ BHUWAR SHARMA SON OF LATE HARENDRA
SHARMA R/O VILLAGE- KUMKUMPUR, P.S.- BASANTPUR, DIST.-
SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Javed Aslam, Advocate
For the State	:	Mr. Manoj Kumar, APP
For the Informant	:	M/s Prakash Ch. Jha Bijay Prakash Singh, Advocates

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 03-01-2022 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner has preferred this application for grant of
regular bail in a case registered under sections 302 and 34 of the
Indian Penal Code.

As per the prosecution case, the sister of the informant had
gone along with his 'Bhabhi' to cast her vote in election. She
disappeared. As such suspicion is raised against the three named
accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that
except for an unfounded suspicion raised in the FIR, no material has
transpired in course of investigation to connect him with the alleged
crime. The petitioner is in custody since 8.11.2020. Chargesheet has
been submitted in the case. The case of the petitioner stands on a
similar footing to that of co-accused Dhananjay Ram and Raj Kumar



Ram who have been enlarged on bail vide order dated 7.12.2021 passed in Cr. Misc. No. 18506 of 2021.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the petitioner along with others were seen at the place of occurrence from where the sister of the informant disappeared and, thereafter, her dead body was found. It is submitted that even in the past the petitioner and others had misbehaved with her. There was sign of sexual assault on the deceased.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation, grant of bail to the above named co-accused and the petitioner having remained in custody for more than 1 year, the petitioner is directed to be enlarged on bail in connection with Basantpur P.S. Case no. 449 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan.

(Partha Sarthy, J)

Spd/-

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