

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.34048 of 2021**

Arising Out of PS. Case No.-14 Year-2021 Thana- DARBHANGA SADAR District-  
Darbhanga

=====

CHHOTU SHARMA @ CHHOTU KUMAR SHARMA S/o Hari Narayan  
Sharma R/o village- Bijuli, P.S.- Sadar, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ranjit Kumar Yadav  
For the Opposite Party/s : Mr.Akshay Lal Pandit

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

4      17-02-2022                      Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor for the State in virtual court  
proceeding.

Let the defects, as pointed out by the office, be  
removed within four weeks of start of normal functioning of the  
physical court.

Petitioner seeks bail in connection with Darbhanga  
Sadar P.S. Case No. 14 of 2021 registered for the offences  
punishable under Sections 302/34 of the IPC.

The gist of the prosecution case is that on 10.01.2021  
at 6:00 pm, the informant's brother went outside along with co-  
accused Monu Sharma for taking tea but he did not return to his  
home and after one day, his dead body was found towards south



of the village in the field of one Indra Dev Yadav.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that during investigation nothing has come against the petitioner. Learned counsel further submits that the police after investigation submitted charge sheet against the petitioner and other accused persons. Petitioner is in custody since 15.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Sadar P.S. Case No. 14 of 2021, subject to the 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 and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

shahzad/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

