

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36561 of 2021**

Arising Out of PS. Case No.-104 Year-2017 Thana- KHAIRA District- Saran

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1. RAJ KUMAR SHARMA Son of Late Ramdeo Sharma Resident of Village and Police Station - Khaira, District - Saran at Chapra.
  2. Manoj Sharma Son of Shivnath Sharma Resident of Village and Police Station - Khaira, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MANOJ KUMAR SHARMA SHIV NATH SHARMA KHAIRA

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Kumar Yadav, APP  
For the Opposite Party/s : APP

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

3      03-01-2022                      Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code.

As per the prosecution case, the nine named accused persons are stated to have abused and assaulted the informant and others over a dispute relating to parking of a motorcycle.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The two petitioners herein along with others were initially granted bail by the learned Court below itself. However, subsequently



the injured having died and section 302 of the Indian Penal Code having been added, the other accused persons totaling seven in number surrendered and were granted bail vide order dated 27.9.2019 passed in Cr. Misc no. 44611 of 2019 and order dated 18.3.2020 passed in Cr. Misc no. 83628 of 2019. The petitioners not having surrendered on account of having gone outside the State of Bihar to earn their livelihood, were not granted bail. The petitioners are in custody since 6.4.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioners not having any criminal antecedent and having remained in custody for over 8 months, the Court directs the above two petitioners to be enlarged on bail in connection with Khaira P.S. Case no. 104 of 2017 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge V, Saran at Chapra.

**(Partha Sarthy, J)**

Prakash/-

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