

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28078 of 2020

Arising Out of PS. Case No.-69 Year-2011 Thana- GURARU District- Gaya

AKHILESH PRASAD SHARMA S/o Late Sidheshwar Sharma Resident of
Village-Bahera, P.S.-Guraru, District-Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Guraru P.S. Case no. 69 of 2011 instituted for the offence
under Sections 302, 201 and 34 of the Indian Penal Code.

Prosecution case relates to kidnapping and killing the
daughter of the informant.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Petitioner is not
named in the FIR. Witnesses have not supported the prosecution
case. His name came into investigation only in the supervision
notes of the higher official, which is not admissible as evidence.



Co-accused Bindeshwar Sharma, Murari Thakur and Dharmendra Narayan Sharma, who are named in the FIR have already been granted anticipatory bail by another Bench of this Court vide order dated 18.1.2012 and 29.3.2012 passed in Cr. Misc Nos. 1345 of 2012 and 9910 of 2012 respectively and the case of the petitioner stands on better footing.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Guraru P.S. Case no. 69 of 2011, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-5th, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U		T	
---	--	---	--

