

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38839 of 2021

Arising Out of PS. Case No.-329 Year-2020 Thana- BELDOUR District- Khagaria

RABO SHARMA @ RAVINDRA SHARMA @ RUBO SHARMA Son of
Late Palat Sharma Resident of Village- Pansalwa, P.s.- Beldour, District-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302 and 120(B)/34 of the Indian Penal Code.

It is a case of murder by the petitioner and other co-accused by cutting throat of the deceased by means of Dabia.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that the case is based on circumstantial evidence but from perusal of the case diary, it appears that there no evidence of direct complicity of the petitioner in this case. He further submits that there was dispute between the father of the informant and his step mother Kanchan Devi due to illicit relationship in between the step mother of the informant and Indrajeet Sharma but the



petitioner has falsely been implicated in this case on the basis of suspicion.

From perusal of postmortem report vide para-56 of the case diary, it appears that there was lacerated wound on front of neck and the same has been opined cause of death by the Doctor. Further, according to the informant, the deceased has been murdered by cutting his neck by means of *Dabia* but it is not in consonance with the medical evidence.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Pallavi Anand, Judicial Magistrate-Ist Class, Khagaria/concerned Court in connection with Beldour P.S. Case No. 329 of 2020, G.R.No. 3534 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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