

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39243 of 2021

Arising Out of PS. Case No.-16 Year-2021 Thana- BIHARIGANJ District- Madhepura

SHAMBHU SHARMA Son of Fekan Sharma R/O village - Madhukarchak,
P.S.- Bihariganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 01-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 341, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that his son and nephew started for search of the amplifier which was stolen from their house. It is stated that the accused persons met the two and started to threatened them. Thereafter, it is stated that they shot dead the son of the informant on which the nephew started to flee away and managed to escape. The informant states that he is convinced that the four named accused persons including the petitioner herein have a hand in the occurrence.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The statement of the nephew of the informant was recorded in course of investigation and he has not named any of the accused persons. The name of the accused persons including the petitioner herein transpired in course of investigation as suspects. The petitioner is in custody since 18.1.2021 and has no criminal antecedent. Investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the material that has transpired in course of investigation and the petitioner having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Bihariganj P.S. Case no.16 of 2021 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 Judicial Magistrate 1st Class, Udakishunganj.

(Partha Sarthy, J)

Saurabh/-

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