

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35844 of 2022

Arising Out of PS. Case No.-45 Year-2015 Thana- MAKHDUMPUR District- Jehanabad

Ram Uday Sharma @ Uday Narayan Sharma Son Of Ayodhya Sharma, R/O
Village- Bhaikh, P.S.- Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Makhdumpur P.S. Case No. 45 of 2015 lodged under Sections
147, 148, 149, 325, 326, 307 and 302 of Indian Penal Code.

The allegation against the petitioner is to assault the
deceased by *farsa* blow on his leg.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that post mortem report is Annexure-2 where injury
report is there and the said injury is showing that there is no
injury on the leg by sharp cutting weapon. Learned counsel
further submits that petitioner is in custody since 31.01.2022
having one criminal antecedent in which petitioner is on bail

and he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court. Learned counsel for the petitioner further submits that the similarly situated co-accused person has already been granted bail by the Co-ordinate Bench of this Court vide order dated 20.12.2018 passed in Cr. Misc. No. 72793 of 2018.

Learned counsel for the State opposes the prayer for bail and submits that this petitioner was declared absconder and due to his non-presence, in the case of the year 2015, charge has not been framed till date.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner at present but he may renew his prayer for bail after 4 months from the date of framing of charge and the Trial Court thereafter shall release the petitioner on bail imposing its own conditions so that petitioner shall not evade his presence during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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