

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46259 of 2021

Arising Out of PS. Case No.-114 Year-2020 Thana- MADHWAPUR District- Madhubani

RAMDHANI SHARMA @ RAMDHANI THAKUR Son of Late Biltu
Sharma Resident of Village- Kauwaha, P.S. - Basopati, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Prakash, Advocate
For the Informant	:	Mr. Vinay Ranjan, Advocate
For the State	:	Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Madhawapur P.S. Case No. 114 of 2020 for the offence
registered under Sections 364, 302, 201/34 of the Indian Penal
Code.

The allegation is that the son of the informant along
with his friend namely Nitish Kumar, who is an accused in the
present case, had gone somewhere and later on in the night the
son of the informant had talked with her mother-in-law and had
informed that the family members of Nitish Kumar have
forcibly caught him and were not letting him go back to his
house whereafter the mobile phone of the deceased was
switched off. Later on, a search was made about the



whereabouts of the deceased. It has transpired that the sister of the co-accused person, namely Nitish Kumar was having illicit relationship with the deceased, hence the co-accused persons namely Nitish Kumar and other co-accused persons had kidnapped and killed the deceased.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 04.03.2021. The learned counsel for the petitioner has further submitted that the petitioner has been falsely roped in the present case merely because he is the father of the so called co-accused person, namely, Nitish Kumar, who has in fact already been granted bail along with others by a coordinate Bench of this Court vide order dated 26.10.2021 passed in Criminal Misc. No. 19325 of 2021. It is next submitted that the petitioner has a better case and is not having any complicity in the matter.

Per contra, Shri Vinay Ranjan, the learned counsel for the informant and Shri Jharkhandi Upadhyay, the learned A.P.P. for the State have vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available



on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by a coordinate Bench of this Court vide order dated 26.10.2021 passed in Criminal Misc. No. 19325 of 2021, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Benipatti, District-Madhubani in connection with Madhawapur P.S. Case No. 114 of 2020.

(Mohit Kumar Shah, J)

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