

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48969 of 2022

Arising Out of PS. Case No.-33 Year-2006 Thana- KARPI District- Jehanabad

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Sadhu Sharma @ Pramod Sharma @ Pramod Kumar Sharma, aged about 41 years (Male), Son of Jai Kishor Sharma, R/O- Vill- Odbigha, P.S.- Banshi, Dist.- Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shivendra Prasad, Advocate

For the Opposite Party : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioner seeks bail in connection with Sessions Trial No. 33 of 2010/332 of 2012, arising out of Karpi P.S. Case No. 33 of 2006 registered for the offence under Sections 147, 148, 149, 379, 302 of the I.P.C. and Section 27 of the Arms Act.

The prosecution case, in brief, is that on 11.04.2006 at about 9-10 P.M., the younger brother of the informant Putush Sharma came with his friends and after some time went to sleep on the roof of Baliram Sharma about at 12.00 P.M. in the night.



On the sound of firing, she woke up and saw Butun Sharma, Sadhu Sharma (petitioner) and 6-7 unknown persons coming down from the roof of the house of Baliram Sharma through a staircase and fleeing away after making firing. Thereafter, she went on the roof of Baliram Sharma and saw her brother and his friends dead and the accused persons had also taken away their belongings. She further alleged that Butan Sharma, Avinash Sharma, Sadhu Sharma (petitioner) and 6-7 unknown persons killed the brother of the informant and his friends and they took away their belonging also.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.07.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired in the present case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence. The petitioner has remained in custody approximately for 3½ years.

On behalf of the State, it is submitted that the



petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Jehanabad, in connection with Sessions Trial No. 33 of 2010/332 of 2012, arising out of Karpi P.S. Case No. 33 of 2006.

(Sudhir Singh, J)

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