

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.48289 of 2021**

Arising Out of PS. Case No.-302 Year-2020 Thana- FALKA District- Katihar

CHANDAN SHARMA S/o Sri Madan Sharma R/o village- Amol Chhahar  
Tola, P.S. - Falka, District - Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhola Prasad, Advocate  
For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

3      21-03-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Let the defect(s), if any, be removed within a period  
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with  
Falka P.S. Case No. 302 of 2020 instituted for the offences  
under Sections 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 10.02.2021, is a person with clean  
antecedent and charge-sheet has been submitted.

The informant alleges that her son (deceased) on  
30.08.2020 had gone to attend the call of nature, when he did  
not return search was made but he was not found. Accordingly,  
on 01.09.2020, a Sanha, with regard to missing of the victim,  
was instituted. Further, on 02.09.2020, the sister-in-law of the



deceased saw the dead body of the victim hanging from a tree. Accordingly, the informant was informed and the case was instituted alleging that a week before the occurrence the deceased had a dispute with Chandan Sharma (petitioner) and Ranjan Sharma along with other with regard to the plucking of vegetable, as such, it is alleged based on suspicion that they might have killed the deceased.

Learned counsel for the petitioner submits that the entire allegation hinges around suspicion. There is no eyewitness to the occurrence and during the course of investigation, the witnesses have stated that they reached the place of occurrence when they were informed by the informant about the dispute with the petitioner and his family member. Learned counsel for the petitioner further submits that during the course of investigation none of the witnesses have stated that they were aware of the dispute.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and the allegation hinges around suspicion and there is no eyewitness to the occurrence and taking into consideration the



submission made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Falka P.S. Case No. 302 of 2020.

**(Satyavrat Verma, J)**

Kundan/-

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