

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64772 of 2021

Arising Out of PS. Case No.-813 Year-2020 Thana- KHAGARIA District- Khagaria

SUBODH KUMAR SHARMA @ LALU SHARMA Son of Shivrath Sharma
@ Dharoh Sharma Resident of Village - Bakhadda Bakhda, P.S.- Sahebpur
Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Adv

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

A supplementary affidavit, carrying out necessary correction in the main petition, has been filed on behalf of the petitioner, which is kept on record.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 308, 379, 498(A), 504, 506 and 34 of IPC and Sections 3/4 of Dowry Prohibition Act.

Petitioner is husband of the informant. Allegation



against the petitioner is that he sprinkled K.Oil on her body and also assaulted her and started demanding Rs. 2,00,000/- and a motorcycle. Accused persons tortured her and ousted her from her Sasural. On 22.10.2020 her husband came at her Naihar and on 24.10.2020 her husband tried to forcefully kill her by wrapping her neck with scarf with an intention to kill her due to which she became senseless. Thereafter he took away out Rs. 50,000/-, gold chain and fled away. Her husband married twice.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus allegation against the petitioner and other accused persons. He further submits that there is no specific allegation against the petitioner. In fact the petitioner is husband of the informant and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 27.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the



case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Khagaria Police Station Case No.813 of 2020, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of



verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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