

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66844 of 2021

Arising Out of PS. Case No.-340 Year-2020 Thana- PHULWARISHARIF District- Patna

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Bhushan Sharma @ Bhushan Kumar, Son Of Rameshwar Singh @
Rameshwar Prasad @ Shankar Singh Resident Of Village - Simra, P.S.
Janipur, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindhya Keshri Kumar Singh-Sr. Advocate
Mr. Neeraj Kumar Alias Sanidh- Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-04-2022 Heard learned senior counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 120(B), 328, 302, 506/ 34 of
the Indian Penal Code.

The learned senior counsel for the petitioner submits
that the petitioner is in custody since 02.08.2021, he is a person
with clean antecedent and charge-sheet has been submitted in
the case.

The learned senior counsel for the petitioner submits
that the informant alleges that on 22.06.2020, his son on call of
Sonu Kumar went to attend a dinner in a hotel in the night and
in the morning, there was hulla, on which the dead body of the



deceased was found lying near the boundary of Randhir Singh. Thus, alleges that on account of dispute relating to money between his nephew (Amresh Kumar), accused persons including the petitioner might have killed his son by poisoning as his son had intervened on behalf of Amresh Kumar, when accused were threatening him. Accused Arun Kumar had called and threatened the deceased of dire consequences if money not paid.

The learned senior counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that informant is not an eye witness to the occurrence. The entire allegation hinges around suspicion and the dispute, if any, relating to money was with Amresh Kumar and not with the son of the informant. It is further submitted that had the deceased any apprehension from the accused that they might kill him, then definitely he would not have gone on call of Sonu Kumar to attend a dinner in the hotel.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and the entire allegation hinges around



suspicion and the informant is not an eye witness to the occurrence, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Phulwari Sharif (Janipur) P. S. Case No.340 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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