

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71944 of 2021

Arising Out of PS. Case No.-155 Year-2020 Thana- AKHODHIGOLA District- Rohtas

=====

JAI RAM SHARMA Son of Late Vishwanath Sharma @ Bishwanath Sharma
Resident of Village - Langeshar Bigaha, Police Station - Akodhigola, District
- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Saroj Kumar, Advocate
For the State	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Rajesh Kumar Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-06-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 302, 341, 323, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act

As per the prosecution case, on the orders of this petitioner, Dharamdeo Sharma is said to have fired on the brother of the informant who died as the result of the said firearm injury.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of land dispute between the parties. Even as per the FIR



the petitioner at best can be said to be the order giver. He is in custody since 24.12.2020 and undertakes to cooperate in the trial.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the petitioner has played a vital role in the occurrence and it was on his orders that the occurrence took place. It is further submitted that the trial in the learned court below has proceeded and in case the petitioner is enlarged on bail he will not cooperate in the trial.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR wherein at best he is said to be an order giver together with the petitioner having remained in custody for 1 year 5 months, the petitioner is directed to be enlarged on bail in connection with Sessions Case no. 66 of 2021 (arising out of Akhodhigola P.S. Case no. 155 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge 18, Rohtas at Sasaram.

It is further directed that as the trial in the learned court below has proceeded the petitioner shall remain physically



present in Court on each date and shall cooperate in the trial.

In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

