

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13683 of 2023

Arising Out of PS. Case No.-456 Year-2022 Thana- MADHEPURA District- Madhepura

1. BALRAM SHARMA Son of Rampukar Sharma R/o Village - Baluaha, Ward No.- 7, P.S.- Madhepura (Parmanandpur O.P.), District - Madhepura.
2. Sonu @ Sachin Kumar @ Sachin @ Sonu Kumar Son of Balram Sharma R/o Village - Baluaha, Ward No.- 7, P.S.- Madhepura (Parmanandpur O.P.), District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 302 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case in brief from the FIR is that on 08.05.2022 at about 12:00 A.M., while the husband of the informant was returning from garage after getting his bike repaired in the meantime petitioners along with co-accused persons fired upon her husband, due to which he



sustained injuries and ultimately died.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Being a member of mob they have falsely been implicated in this case. There is no specific allegation of shot fire leveled against the petitioners rather general and omnibus allegation leveled against them. The specific allegation of shot fired is against co-accused, namely, Sanjiv Kumar Chaupal who fired upon the husband of the informant due to which he died on the spot. Similarly situated co-accused, namely, Lalam Sharma has already been granted bail by a coordinate Bench of this Court vide order dated 14.03.2023 passed in Cr. Misc No. 62725 of 2022. It is further submitted that the petitioners have got no criminal antecedent moreover, they are languishing in judicial custody since 09.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge



the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Madhepura (Parmanandpur O.P.) P.S. Case No. 456 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura.

(Sunil Kumar Panwar, J)

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