

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20277 of 2023

Arising Out of PS. Case No.-158 Year-2019 Thana- BARAUNI District- Begusarai

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Sajan Sharma @ Sarjan Kumar Tanti @ Sarjan Tanti @ Sajaan Sharma @
Sarjan Sharma S/O Late Uday Sharma R/O Village- Fatehpur, P.S- Gogri,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Barauni P.S. Case No. 158 of 2019 registered for the offence
punishable under Sections 363 and 365 of the Indian Penal
Code.

As per prosecution case, brother of informant, namely,
Mahesh Kumar Tanti had gone to his friend's house, namely,
Sajan Sharma stating that he would come tomorrow. Thereafter,
the Mobile Phone of informant's brother got switched off.
During investigation, it was found that informant's brother was
murdered.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case on the basis of confessional statement of the co-accused Pawan Sharma. Further, it is submitted that except the said confessional statement nothing has come against the petitioner. It is further submitted that petitioner has one criminal antecedent in which he is on bail. Petitioner is in jail custody since 15.12.2022. Charge sheet has already been submitted and there is no chance of absconding of the petitioner or tampering with the evidence, if he may be granted bail.

Learned counsel for the petitioner further submits that similarly situated co-accused persons, namely, Pawan Sharma, Mithun Kumar, Rinki Devi and Biko Sharma have been granted bail by the co-ordinate Bench of this Court vide orders dated 27.11.2020, 12.05.2023 and 19.01.2022 in Cr. Misc. No. 24150 of 2020, Cr. Misc. No. 17404 of 2023 and Cr. Misc. No. 22551 of 2021, respectively.

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

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of



the like amount each to the satisfaction of learned Additional District Judge-XIV, Begusarai in connection with Barauni P.S. Case No.158 of 2019, Sessions Trial No. 26 of 2021, subject to the following conditions:-

(i) One of the bailors shall be the close relative of the petitioner.

(ii) The petitioner shall remain present on each and every date fixed by the Court below.

(iii) In case of absence on two consecutive dates without sufficient reason or if the petitioner misuses the liberty or violates any of the condition imposed upon him, his bail bond shall be liable to be cancelled by the Court concerned.

(Sunil Dutta Mishra, J)

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