

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27331 of 2023

Arising Out of PS. Case No.-220 Year-2021 Thana- BELDOUR District- Khagaria

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BASULI SHARMA Son of Bilash Sharma R/V- Dadroja PS- Beldaur Dist-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Beldaur P.S. Case no. 220 of 2021 instituted for the offence
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

As per allegation in the FIR, the informant along with
his husband went to attend a devotional program and at about
about 7:40 P.M. when her husband went to shop of Santosh
Sharma where co-accused Sharvan Sharma caught hold her
husband and this petitioner fired on his head by his pistol.
Thereafter, the informant took her injured husband to hospital
but during course of treatment, her husband died.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely



been implicated in this case due to village politics. It is further submitted that the petitioner is languishing in judicial custody since 19.2.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted from perusal of case diary as well as FIR, there is direct allegation against this petitioner who shot fire upon the deceased due to which he died. The postmortem report which is annexed with the case diary, also corroborates the prosecution case wherein, doctor opined that the cause of death is due to Hemorrhage and shock caused by firearm injury leading to C.R. failure. It is further submitted that witnesses of this case have also supported the prosecution during course of investigation.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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