

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21710 of 2022

Arising Out of PS. Case No.-244 Year-2021 Thana- BIHPUR District- Bhagalpur

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Ajit Sharma S/O Late Nasib Sharma R/O Village- Paharpur, P.S.- Bihpur
(Bhawanipur), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 21802 of 2022

Arising Out of PS. Case No.-244 Year-2021 Thana- BIHPUR District- Bhagalpur

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Bidyanand Sharma @ Vidyanand Sharma S/O Late Yogendra Sharma R/O
Village- Paharpur, P.S.- Bihpur (bhawanipur), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 21710 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Abhay Kumar Roy

(In CRIMINAL MISCELLANEOUS No. 21802 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-02-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a

case registered for the offences punishable under

Sections 363, 365, 364, 34 of the Indian Penal Code.



The prosecution case as per F.I.R is that while the brother of the informant was on way to his house after watching the dance programme, he was surrounded by these petitioners and co-accused Boro Sharma and Gaurav Sharma. The victim thereafter called on the mobile of another brother of the informant and told about his confinement. The informant raised a suspicion that his brother might have been killed by all the accused persons including the petitioners.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. There is no eye witness to the occurrence and only on suspicion, the present accusation has been levelled against the petitioners. The petitioners are languishing in custody since 12.06.2021.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that it is the specific case of the



prosecutions that these petitioners along with other accused persons have confined the victim and the victim has still not been traced out.

Considering the fact that there is no eye witness to the occurrence and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, 1st, Naugachia, Bhagalpur in connection with Sessions Trial No. 551 of 2021, arising out of Bihpur (Bhawanipur) P.S. Case No. 244 of 2021.

(Sunil Kumar Panwar, J)

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