

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27779 of 2023

Arising Out of PS. Case No.-827 Year-2022 Thana- JAHANABAD District- Jehanabad

Lav Sharma @ Lav Kumar Sharma S/O Late Nawal Sharma R/O Village-
Mokar, P.S and Distt.- Jehanabad. At present resident of Mohalla- Ghora
Hospital, P.S and Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shivendra Prasad, Advocate
For the Opposite Party/s	:	Mr. Mritunjay Kumar Nirala, A.P.P.
For the Informant	:	Mr. Abhishek Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-07-2023 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.

3. As per F.I.R., on the alleged date and time of occurrence, husband of the informant went out for work. At about 7:30 PM, informant heard sound of firing and local people informed her that some persons had shot her husband. Thereafter, she went to the place of occurrence and found her husband lying in pool of blood. She took him to the hospital with the help of nearby people where the doctor declared him dead. Informant suspects that this petitioner along with other accused persons committed murder of her husband on account of land and money dispute.

4. It is submitted that from bear perusal of the F.I.R. it is apparent that informant is not an eye witness of the



occurrence. She has not disclosed the source of information as to who told her about the incident and only because of land dispute between the parties, this petitioner has been made accused in this case.

5. Learned counsel for the informant opposes the bail application and submits that petitioner is named in the F.I.R. and prior to this incident, this petitioner has also threatened the husband of the informant.

6. Considering the fact that only suspicion has been raised against the petitioner and informant is not an eye witness of the occurrence, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P. S. Case No. 827 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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