

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22927 of 2023

Arising Out of PS. Case No.-246 Year-2022 Thana- MUFFASIL District- Aurangabad

1. RAM SHARMA @ RAM KUMAR SHARMA @ RAM S/O NATHUNI MISTRI @ NATHUN SHARMA Resident of village- Munshi Bigha P.S.- Muffasil, District- Aurangabad.
2. LAXUMAN SHARMA S/O NATHUNI MISTRI @ NATHUN SHARMA Resident of village- Munshi Bigha P.S.- Muffasil, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 14-07-2023
1. Heard learned counsel appearing on behalf of the petitioners and learned counsel appearing on behalf of the State.
 2. Let the defect(s), if any, be removed within a period of four weeks from today.
 3. The petitioners seek bail in connection with Muffasil P.S. Case No. 246 of 2022 registered for the offence under Sections 147, 302, 120-B of the Indian Penal Code and under Section 27 of the Arms Act.
 4. The accused/petitioners are not named in the F.I.R. and are in custody since 25.01.2023.
 5. The allegation against the petitioners is to commit murder of the father of the informant alongwith other named



and unknown co-accused persons by causing firearm injuries, where occurrence arises out of land disputes.

6. Learned counsel appearing on behalf of the petitioners submitted that the allegation against both petitioners are appearing very much general and omnibus whereas the specific allegation to cause fatal firearm injury which is attributed to co-accused, namely, Sunil Chandrawanshi and Rahul Chandrawanshi and by taking note of this fact learned Co-ordinate Bench of this Court has already been granted bail to similarly situated co-accused, namely, Ajit Kumar through Cr. Misc. No. 71601 of 2022 vide order dated 02.02.2023. While concluding the argument, it has been submitted that petitioners are men of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as specific allegation, as to cause fatal firearm injury, is available against co-accused persons not against these petitioners coupled with the fact that charge-sheet has already submitted, where petitioners are in custody since 25.01.2023, accordingly, both the petitioners, above named, are directed to



be released on bail in connection with Muffasil P.S. Case No. 246 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Maigstrate, Aurangabad/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

