

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27611 of 2023**

Arising Out of PS. Case No.-543 Year-2022 Thana- AMARPUR District- Banka

DEEPAK SHARMA @ DEEPAK KUMAR SHARMA son of Ashok Sharma  
village- Mahauta Ps- Amarpur Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      03-08-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with Amarpur  
P.S. Case No. 543 of 2022 registered for the offence under Section  
302 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is in  
custody since 06.10.2022.

4. The allegation against the petitioner is to commit  
murder of his minor son, aged about 7 years.

5. Learned counsel appearing on behalf of the petitioner  
submitted that the minor son of petitioner died out of sudden heart  
failure and out of matrimonial discord the informant who is none but  
the wife of this petitioner implicated him with present case. It is  
further submitted that nothing can be gathered from the post-mortem  
report of the minor son, as his death was caused as alleged through



F.I.R., for the reason that no external injury was noticed upon including ligature mark. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as no injuries was noticed upon deceased/son of this petitioner coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 06.10.2022, accordingly, above named petitioner is directed to be released on bail in connection with Amarpur P.S. Case No. 543 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 Court of Additional Sessions Judge-I, Banka/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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