

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42893 of 2023**

Arising Out of PS. Case No.-347 Year-2022 Thana- NAWANAGAR District- Buxar

Munna Sharma Son of Bihari Sharma, R/o Vill-Sonversa, P.S.-Nawanagar,  
Dist.-Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      14-07-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Sessions Trial Case No.75 of 2023 arising out of Nawanagar  
P.S. Case No.347 of 2022 dated 15.10.2022, lodged under  
Sections 302, 120(B) of the Indian Penal Code.

3. As per prosecution case, the informant had alleged  
that on 15.10.2022 Indradev Sharma alongwith four other  
accused persons came at her house with the dead body of her  
husband and returned without telling anything. It is also alleged  
that the deceased was working with Indradev Sharma at his  
furniture shop for last 10 years.

4. Learned counsel for the petitioner submits that the  
present F.I.R. has been lodged against one named accused



person namely Indradev Sharma and four unknown accused persons. He further submits that petitioner is not named in the F.I.R. and, therefore, there is absolutely no allegation in the F.I.R. against the him. Learned counsel submits that name of petitioner has been figured in this case by virtue of confessional statement of the sole accused. He further submits that the said sole accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 19.06.2023 passed in Cr. Misc. No.8339 of 2023. Learned counsel for the petitioner submits that petitioner is in custody since 29.01.2023 and there is one criminal case pending against him, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Buxar in connection with Sessions Trial Case No.75 of 2023 arising out of Nawanagar P.S. Case No.347 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:



A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

7. With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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