

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53532 of 2023

Arising Out of PS. Case No.-137 Year-2023 Thana- LAXMIPUR District- Jamui

Rajvardhan Sharma @ Raju Sharma @ Raj Bardhan Sharma S/o- Jyotindra
Sharma @ Jyotindra Prasad Singh village- Pabai Ps- Suryagarha Dist-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 302, 201, 34 of the Indian Penal
Code.

As per prosecution case, on 29.03.2023 at about 9.30
O' Clock, while the informant who happens to be 'Chowkidar'
was in his area and making round, then he received information
that in Sansarpur village at NH-333 one unknown dead body is
lying and when he went there he saw that one person aged about
40 years was found lying dead having some injuries on the neck.
He gave such information to the concerned S.H.O. who has



arrived along with other police personnel and they tried to identify the body but could not do so. Accordingly, the F.I.R. has been lodged.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case merely on suspicion. The petitioner is not named in the F.I.R. No one is eye witness of alleged occurrence. No any incriminating article has been recovered from the conscious possessions of the petitioner. Except his confessional statement before the police, no other consistent material has come against the petitioner which shows his complicity in this case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No.39803 of 2023. Moreover, the petitioner is languishing in judicial custody since 12.04.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case



as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Laxmipur (Giddaur) P.S. Case No. 137 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Jamui.

(Sunil Kumar Panwar, J)

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