

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55259 of 2022

Arising Out of PS. Case No.-44 Year-2014 Thana- UPHARA District- Aurangabad

Sadhu Sharma @ Pramod Sharma @ Pramod Kumar Sharma @ Pramod Kumar, Son Of Jairam Sharma, Resident of Village- Ood Bigha, Police Station- Vanshi, District- Arwal (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Sessions Trial No.119 of 2021/02 of 2021 arising out of Uphara P.S. Case No.44 of 2014 registered for the offence punishable under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner has been made an accused in this case, wherein it is alleged that three persons have entered into the Bank and looted Rs.9,48,040/- cash and damaged the property.

Learned counsel for the petitioner submits that in the year 2021, the petitioner has been made accused in this case; instituted in the year 2014. The basis of the petitioner's



implication is statement of co-accused and there is no recovery or any cogent material to connect him with the alleged occurrence. The implication is by virtue of his antecedents only. The petitioner has remained in custody since 06.02.2021. Co-accused Ajay Sharrma, earlier implicated in a similar manner, was allowed bail by this Court in Cr.Misc. No.28887 of 2016.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of implication, period of custody and the fact that the investigation is complete, as per submission of the petitioner's counsel, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-X, Aurangabad, in connection with Sessions Trial No.119 of 2021/02 of 2021 arising out of Uphara P.S. Case No.44 of 2014, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will



give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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