

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61954 of 2023

Arising Out of PS. Case No.-288 Year-2022 Thana- KATEYA District- Gopalganj

Pappu Sharma @ Papu Sharma Son Of Butai Sharma Resident Of Village-
Motipur, Ps- Kateya, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 341, 323, 307, 504 of the Indian Penal Code later on Section 302 was also added.

As per prosecution case, the allegation against the accused persons including the petitioner is that they assaulted the informant and his family members and caused them injured and during course of incident co-accused Golu Rai gave lathi blow on the head of one injured, namely, Sahodar Chauhan due to which he sustained injury and died in course



of treatment at Gorakhpur. It is further alleged that co-accused persons also assaulted the injured Radheshayam Chauhan and Ruby Kumari.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no specific allegation of assaulting levelled against the petitioner rather the specific allegation of assaulting levelled against co-accused persons. It is further submitted that no consistent material has come out against the petitioner. Similarly situated co-accused persons have already been granted bail by a coordinate Bench of this Court vide order dated 30.08.2023 passed in Cr. Misc. No. 56922 of 2023. Moreover, he is languishing in judicial custody since 06.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kateya P.S. Case No. 288 of 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the
satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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