

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64561 of 2022

Arising Out of PS. Case No.-224 Year-2021 Thana- BIHRA District- Saharsa

CHANDRA KISHORE SHARMA @ LALKUN SHARMA S/O- Bishundeo
Sharma @ Bishun Sharma R/O Village- Sattar Kataeya, P.S- Bihra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bihra P.S.
Case No. 224 of 2021 dated 29.10.2021 registered for the offence
under Sections 447, 323, 324, 427, 354B, 307/34 of the Indian
Penal Code.

The petitioner along with others accused persons are
alleged to have assaulted the family member of the informant by
means of Kudal, khanti, farsa and the informant is subjected to
outrage her modesty by the accused persons.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that there is land dispute between
the parties and on account of the same, the present occurrence



took place. He further submits that the occurrence is alleged to have taken place on 16.10.2021 but the F.I.R. has been registered after 13 days without any explanation. He further submits that it appears from the F.I.R. that the petitioner has inflicted spade blow on the husband of the informant but the injury report of injured reveals that injury is simple in nature caused by a hard and blunt substance. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 02.06.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 J.M.-1st Class, Saharsa in connection with Bihra P.S. Case No. 224 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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