

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70758 of 2023

Arising Out of PS. Case No.-376 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

=====

Ramjee Sharma, Son Of Late Antu Sharma Resident Of Village - Milki Tola,
Parora, P.S. - Krityanand Nagar, District - Purnia

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
K. Nagar P.S. Case No. 376 of 2023, lodged on 21.06.2023 under
Sections 147, 341, 323, 325, 307, 379, 504, 506 of the Indian
Penal Code and later on section 302 of the Indian Penal Code was
added.

3. As per the prosecution case, the FIR has been lodged
against 9 named accused persons against whom the allegation in
the FIR is that they gathered together with *lathi danda*, iron rod
etc. and accused Baddu Sharma started demanding Rs. 1,000/- and
on this the informant's son told them that he does not know
anything about this. On hearing this, accused persons including
the present petitioner started beating the informant's son badly
and for treatment the informant's son referred to the hospital and



subsequently, the informant's son died. As such, initially offence under section 307 of the IPC but subsequently section 302 of the IPC have been added.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He also submits that there is no specific allegation and all allegations are general and omnibus. Counsel further submits that from the contents of the FIR, it transpires that at first co-accused Baddu Sharma is responsible as he demanded Rs. 1,000/-.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 24.06.2023.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that all the accused persons have gathered collectively and they collectively attacked and caused injury to the informant's son which resulted into his death.

7. In the present facts and circumstances and considering the antecedents of the petitioner of this case and the submissions made above, let the petitioner above named, be granted bail **only after framing of charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with K. Nagar P.S. Case No. 376 of 2023,



subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

Divyansh/-

U		T	
---	--	---	--

