

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69950 of 2022

Arising Out of PS. Case No.-130 Year-2022 Thana- SHIVSAGAR District- Rohtas

Shyam Bihari Sharma Son Of Late Indradeo Sharma Resident Of Village -
Ojhawalia, P.S.- Nasriganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-03-2023 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 section 328 and 379 of the Indian Penal Code.

As per prosecution case, informant alleged that when he got information that his tractor bearing Reg No. BR24GC-1830 has been sent for uploading the broken brick but did not return. Upon interrogation, he found the tractor has been stolen by accused persons after giving obnoxious material to his driver and labour.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



confessional statement of the co-accused namely, Shankar Sharma before the police which has got no evidentiary value in the eye of law. Neither the petitioner is named in the FIR nor said stolen tractor has been recovered from the conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 06.04.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sheo Sagar (Baddi) P.S. Case No. 130 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 Chief Judicial Magistrate, Sasaram, Rohtas.

(Sunil Kumar Panwar, J)

Amandeep/-

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

