

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69579 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- GAMAHARIYA District- Madhepura

BUCHO SHARMA Son of Late Kamal Sharma Resident of Village- Chikni
Khar, P.S.- Gamhariya, District- Madhepura Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-03-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Gamhariya P.S. Case No. 67 of 2022, registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 447, 504 and 506 of the Indian Penal Code.

As per allegation, five named accused persons, including the petitioner, entered into the house of the informant and co-accused Vishwanath Sharma assaulted her with *farsa*. The other accused persons also assaulted her and her family members with *farsa*, etc.

The learned counsel for the petitioner has submitted that co-accused Vishwanath Sharma has been granted anticipatory bail. He has submitted further that as a matter of fact, the members of prosecution side had committed murder of cousin of the petitioner and in that case, the members of prosecution side have been made accused. There is admitted



land dispute between the parties. The petitioner is a person of clean antecedent. He is under custody since 25.07.2022.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Madhepura in connection with Gamhariya P.S. Case No. 67 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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