

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71429 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- SALAIYA District- Aurangabad

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SUNIL SHARMA @ SUNIL KUMAR SHARMA @ SUNIL THAKUR SON
OF LATE RAM LAKHAN THAKUR R/O VILL.- BELA, P.S.- SALAIYA,
DISTT.- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shambhu Narayan Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-05-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 302/ 34 of the Indian Penal Code.

As per the prosecution case, the dead body of husband of informant was found hanging with a tree. The informant suspects that this petitioner along with other accused persons committed murder of her husband on account of dispute regarding distribution of money.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. The informant is not an eye witness of the occurrence. It is further submitted that petitioner is own brother of the



deceased and the deceased committed suicide and in support of submission learned counsel relied upon post mortem report wherein cause of death is mentioned as asphyxia due to hanging. The police after investigation submitted charge sheet u/s 306 of the IPC. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additiona Chief Judicial Magistrate-I, Aurangabad in connection with Salaiya PS case No. 49/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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