

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75299 of 2022

Arising Out of PS. Case No.-198 Year-2021 Thana- SANGRAMPUR District- Munger

SIKANDAR SHARMA S/o Late Sukar Sharma R/o Village- Bhalua, P.S.-
Sangrampur, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mrs. Vaishnavi Singh Mr. Ritwik Thakur
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal

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

ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner as well as the
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Sangrampur P.S. Case No. 198 of 2021, registered for the offences punishable under Sections 302, 307/34 of the Indian Penal Code.

As per allegation, when the informant along with his family members was engaged in cultivation over their land, the accused persons came there and they prohibited them after claiming the land belonged to themselves. As per allegation, there is specific allegation on co-accused Rajeev Kumar that he inflicted rod blow on the head of Kripali Sharma, brother of the



informant. When Kripali Sharma fell down on the ground, he pierced *Khanti* into his head and they all assaulted the informant and his brother. Kripali Sharma was brought to hospital where the doctors declared him dead.

The learned counsel has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation is general and omnibus. The allegation of inflicting assault on the person of deceased is on co-accused Rajeev Kumar and not on the petitioner. There is case and counter case and the members of defense side have also sustained injuries. There is an admitted land dispute between the parties and the petitioner is a person of clean antecedent and is under custody since 29.08.2022.

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

Considering the fact that the allegation against the petitioner is general and omnibus. The specific allegation to inflict iron rod on the head of the deceased is on co-accused Rajeev Kumar and the petitioner is under custody since 29.08.2022 and he is a person of clean antecedent, 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 Judicial Magistrate, 1st Class,
Munger in connection with Sangrampur P.S. Case No. 198 of
2021 , 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)

Sudha/Mahesh

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