

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5265 of 2024

Arising Out of PS. Case No.-67 Year-2023 Thana- DHANGAI District- Bhojpur

Kamendra Sharma @ Kamindra Sharma S/O Late Ekbal Sharma Village-
Khairaha, Ps. Dhangai, Dist. Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307, 147, 148, 149 and 504 of the Indian Penal Code. Later on, Section 302 of IPC was added.

3. As per prosecution case, it is alleged that co-accused Monu Sharma assaulted on head of the informant's son due to which he sustained injury and died during course of treatment. This petitioner is also alleged to have assaulted the deceased at the time of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing specific allegation



has been levelled against the petitioner rather the specific allegation of assault upon the deceased is against co-accused person Monu Sharma who assaulted on the head of the deceased. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 10.01.2024. in Cr. Misc. No. 76426 of 2023. Moreover, the petitioner is languishing in judicial custody since 29.06.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dhangai P.S. Case No. 67 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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