

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24133 of 2024

Arising Out of PS. Case No.-269 Year-2020 Thana- PATEPUR District- Vaishali

=====

Ramesh Sharma @ Ramesh Kumar S/O Pradip Sharma R/O Village-
Lahladpur, P.S- Patepur, Distt.- Vaishali (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate
For the State : Mr. Bhanu Pratap Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2024 Heard Mr. Madhav Kumar, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail in connection with
Patepur P.S. Case No. 269 of 2020, FIR dated 25.12.2020 for the
offences punishable under Sections 341, 323, 379, 307 and 34 of
the Indian Penal Code and later on Section 302 of the Indian
Penal Code was also added.

3. Learned counsel for the petitioner submits that
the petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the FIR that there is no specific allegation of any assault or
overt act against the petitioner rather general and omnibus
allegation attributed against all the accused persons including the



petitioner. He further submits that co-accused person, namely, Lakhan Sharma, against whom similar allegation has been levelled, has been granted bail by this Court vide order dated 18.04.2023 passed in Cr. Misc. No. 69833 of 2022 and other co-accused person, namely, Umesh Kumar @ Umesh Sharma has also been granted bail by a Co-ordinate Bench of this Court vide order dated 30.10.2023 passed in Cr. Misc. No. 52936 of 2023. He further submits that the police after investigation submitted the charge-sheet and the petitioner is in custody since 18.10.2023.

4. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

5. Considering the facts and circumstances of the case, petitioner has clean antecedent, there is no specific allegation of any assault or overt act attributed against the petitioner and other co-accused persons have already been granted bail by a Co-ordinate Bench of this Court, let the, above named, petitioner be released on bail 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. I, Vaishali at Hajipur in connection with Patepur P.S. Case No. 269 of 2020 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

ajay/-

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

