

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29449 of 2024

Arising Out of PS. Case No.-273 Year-2022 Thana- SUPAUL District- Supaul

Ashok Sharma @ Ashok Kumar Sharma son of Ramlochan Sharma Village-
Chak Dumariya W.No-13, Ps- Supaul Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2024 Heard Mr. Pramod Mishra, learned counsel for the
petitioner and Mr. Umeshanand Pandit, learned A.P.P. for the
State.

2. The petitioner seeks bail in connection with S.T
No. 223 of 2022 arising out of Supaul P.S. Case No. 273 of
2022 registered for the offence under Sections 363, 506 and 34
of the Indian Penal Code and subsequently Sections 302 and
201 of the Indian Penal Code was also added..

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 11.07.2023 passed in Cr. Misc. No.
5281 of 2023.

4. 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 petitioner
is a blind man with his both eyes and he has no visibility and he



also annexed a handicapped certified which was issued long back in the year 1994 which suggests that the petitioner is suffering from 75% of blindness. He further submits that now the blindness of the petitioner has been increased up to 90%. The petitioner is rotting in judicial custody since 07.05.2022.

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

6. Considering the facts and circumstances of the case, 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 Additional Sessions Judge-II, Supaul in connection with S.T. No. 223 of 2022 arising out of Supaul P.S. Case No. 273 of 2022 with the following conditions:-

(1) 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.

(2) 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)

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