

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41773 of 2024

Arising Out of PS. Case No.-161 Year-2022 Thana- BIHARIGANJ District- Madhepura

Rajendra Sharma @ Rajandar Sharma S/O Late Thithar Sharma R/O Village
Sarauni Kala (Kalan) Ward No 11, P.S. Bihariganj, Distt-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-06-2024 Heard Mr.Pawan Kumar, learned counsel for the
petitioner and Mr.Madan Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
05.12.2022 in connection with S.T.No.319 of 2022 arising out
of Bihariganj P.S. Case No. 161 of 2022, F.I.R. dated
24.06.2022 registered for the offence punishable under Sections
147, 148, 149, 447, 448, 341, 323, 324, 307, 302, 427, 379, 504,
506 of IPC.

3. Earlier the prayer for bail of the petitioner was
refused vide order dated 02.08.2023 passed in Cr. Misc.
No.24464 of 2023. Thereafter, the petitioner has again moved
before this Court in Cr. Misc. No.5966 of 2024 which was
dismissed as withdrawn vide order dated 02.02.2024.
Thereafter, the petitioner has again moved before this Court in
the present matter.



4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that as per allegation in the FIR, the petitioner alongwith other co-accused persons assaulted to the deceased and as per FIR allegation against the petitioner is that he assaulted to the deceased on his hand and the co-accused person, namely, Suresh Sharma, who has assaulted to the deceased on his stomach, has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 08.11.2023 passed in Cr. Misc. No.18658 of 2023 and another co-accused person, namely, Rupak Sharma @ Rupan Sharma has also been granted bail by this Court vide order dated 22.05.2023 passed in Cr. Misc. Nos.23509 of 2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.12.2022.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact as well as period of custody, let the petitioner, above named, 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-III, Madhepura in connection with S.T.No.319 of 2022 arising out of Bihariganj P.S. Case No. 161 of 2022, 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 cancelled 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.

(III) 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)

Nitesh/-

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

