

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43897 of 2024

Arising Out of PS. Case No.-846 Year-2022 Thana- MADHEPURA District- Madhepura

Sanoj Kumar Sharma s/o Late nunulal Sharma R/o village- Ghurgaon, Ward
no.12, P.S.-madhepura(Bharrahi o.p.) District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-06-2024 Heard Mr. Dinesh Prasad Verma, learned counsel
for the petitioner and Mr. Ram Anurag Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.07.2023 in connection with Madhepura (Bharrahi) P.S. Case
No. 846 of 2022, F.I.R. dated 06.09.2022 for the offences
punishable under Sections 302/34 of the Indian Penal Code.

3. According to prosecution case, all the accused
persons including this petitioner have brutally assaulted the
husband of the informant resulting into his death.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that there is
no specific allegation of any assault or overt act attributed



against the petitioner rather there is general and omnibus allegation all the accused persons including this petitioner and in fact, the petitioner is the son of the deceased and he is falsely been implicated in this present case. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Anirudha Sharma @ Anurudha Sharma who is father-in-law of the son of the deceased has been granted bail by this Court vide order dated 09.05.2023 passed in Cr. Misc. No. 12717 of 2023. The petitioner is in custody since 03.07.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the learned Additional Sessions Judge III, Madhepura in connection with Madhepura (Bharrahi) P.S. Case No. 846 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

Vanisha/-

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

