

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53689 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- HASPURA District- Aurangabad

Shyam Bihari Sharma S/o Late Indradev Sharma R/o vill - Ojhawaliya, P.S. -
Nashriganj, Distt. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suryajit Prakash, Adv.

For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Haspura P.S. Case No. 307 of 2023 dated 01.12.2023 registered for the offences punishable u/ss 328, 379, 382 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, unknown miscreants are alleged to have stolen the informant's tractor after administering poison to his driver.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of



the petitioner has transpired in this case only on the basis of his self confessional statement before police which has no evidentiary value in the eye of law. No incriminating article has been recovered from the conscious possession of the petitioner. No T.I.P. has been conducted by the prosecution. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with S.Tr. No. 203/24/25/24 arising out of Haspura P.S. Case No. 307 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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