

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52457 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- KARAKAT District- Rohtas

Shri Ram Sharma @ Badak Sharma S/O Late Laxman Sharma Resident Of
Village Parsar Police Station Karakat Gorari District Rohtas At Sasaram
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the State : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Raghunandan Kumar Singh, learned
counsel for the petitioner and Mr. Dinesh Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Karakat P.S. Case No. 161 of 2024, F.I.R. dated 26.03.2024 for the offences punishable under Sections 341, 323, 324, 307, 354, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, when the brother of the informant, namely, Raj Kishore Sharma went out to visit his farm, he was ambushed from the east near the canal bridge on the way with an iron rod and a sharp weapon. Armed with the intention of killing him, the petitioner abused and hit him on the head. Due to which head of the brother of the informant got injured, when informant reached there after hearing the noise, the accused hit on his head with an iron rod due to which his head got injured, when the sister of the informant came there, on the instructions of Ramashankar Sharma, Akash Sharma and Santosh



Sharma stripped her and Threatened to kill them.

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 the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that from a bare perusal of the FIR it appears that there is no accusation of any assault or overt act is attributed against the petitioner. He further submits that there is specific allegation of assault is attributed against the co-accused person, namely, Akash Sharma and Santosh Sharma.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner having clean antecedent and there is no specific allegation of any assault or overt act is attributed against the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate-I, Bikramganj, Rohtas in



connection with Karakat P.S. Case No. 161 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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)

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