

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60731 of 2024

Arising Out of PS. Case No.-376 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

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Ramlal Sharma @ Ranglu Sharma Son Of Late Tilo Sharma R/V- Village-
Milki Tola, P.S.- K. Nagar, Distt.- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick, Adv.
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
K. Nagar P.S. Case No. 376 of 2023 dated 21.06.2023, lodged
under Sections 147, 341, 323, 325, 307, 379, 504 and 506 of the
I.P.C. later on Section 302 of the I.P.C. was added.

3. As per the prosecution case, the F.I.R. has been
lodged against nine named accused persons including the
present petitioner with an allegation that all the accused persons
reached the house of the informant with *lathi* and *danda* and
started assaulting informant and his son. Thereafter, the
informant's son got injured and admitted to the hospital, where
he died. Upon bare reading of the F.I.R., the allegation is made

in two parts. In the first part, the allegation is against all that all have assaulted and informant and his son and in the second part, the specific allegation is against the rest of the females that they have also assaulted by means of *bans-balli* to the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has nothing to do with the informant and with the co-accused persons. He further submits that the petitioner is in custody since 23.06.2023 having clean antecedent and due to the village politics, his name has been inserted in this case. He further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court. He further submits that the co-accused persons, namely, Baddu Sharma and Guddu Sharma have been granted bail vide order dated 26.04.2024 passed in Cr. Misc. No. 15769 of 2024 and Ramjee Sharma has been granted bail vide order dated 09.11.2023 passed in Cr. Misc. No. 70758 of 2023.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above

named, be granted bail (**only after framing of charge, if not framed**) on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Xth, Purnia in connection with S.T. No. 590 of 2023 arising out of K. Nagar P.S. Case No. 376 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any

criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

7. With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

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