

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63750 of 2024

Arising Out of PS. Case No.-187 Year-2022 Thana- SIDHWALIYA District- Gopalganj

Shivbalak Sharma @ Sheo Balak Sharma S/o- Late Narsinh Sharma, R/o
Village- Mauza Supauli, PS- Sidhawalia, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rakesh Kumar, Advocate
For the Opposite Party : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2024 Heard Mr. Rakesh Kumar, the learned counsel for
the petitioner, the learned counsel appearing on behalf of the
informant and Mr. Raj Kishor Singh, the learned Additional
Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
13.07.2023, in connection with STR No. 836 of 2023, arising
out of Sidhwaliya P.S. Case No. 187 of 2022, FIR dated
05.06.2022, registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 307, 302, 120(b), 504
and 506 of the Indian Penal Code.

3. According to the prosecution case, the co-accused
persons along with the petitioner were gambling outside the
house of the informant and upon objection made by informant's
father-in-law, the co-accused Amarlal Sharma assaulted



informant's father-in-law by means of knife due to which he fell down and the co-accused persons also badly injured other family members by assaulting them with knife and sword. It is further alleged that Lal Kishore Sharma and Rambabu Sharma succumbed to their injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He lastly submits that other co-accused persons namely, Keshiya Devi & Ors. have been granted bail by this Court vide order dated 07.02.2023 passed in Cr. Misc. No. 59851 of 2022.

5. The learned counsel for the informant as well as the Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that from bare perusal of the FIR, it appears that there is specific and direct allegation attributed against the petitioner. Apart from that, from bare perusal of the impugned order, it appears that out of eleven chargesheeted witnesses, ten witnesses have already been examined.

6. Considering facts and circumstances of the case



and the fact that there is direct and specific allegation against the petitioner and impugned order also suggests that out of eleven chargesheeted witnesses, ten witnesses have already been examined and trial is going to be concluded very shortly, I am **not** inclined to enlarge the petitioner on bail in connection with Sidhwaliya P.S. Case No. 187 of 2022, pending in the Court of learned Additional Sessions Judge-III, Gopalganj.

- 7. Prayer is refused.
- 8. However, the learned trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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