

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62019 of 2024

Arising Out of PS. Case No.-320 Year-2023 Thana- KARPI District- Jehanabad

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Birendra Sharma @ Chote Sharma S/O Barmeshwar Sharma R/O Village-
Mera, P.S- Khiri More, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mayank Singh

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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

ORAL ORDER

2 12-09-2024 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 Karpi P.S. Case No. 320 of 2023 dated 02.09.2023 registered for the offences punishable u/s 307 read with section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and co-accused person along with one unknown miscreant holding pistol stopped the motorcycle of the informant and the co-accused *Bablu Sharma* opened fire from his pistol which hit below the shoulder in the left side of chest due to which he sustained severe injury.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. There is specific allegation against the co-accused *Bablu Sharma*. The other co-accused person has already been granted bail by this court *vide* order dated 08.07.2024 passed in Cr. Misc. No. 43677/2024. There is general and omnibus allegation against the petitioner. The petitioner has three antecedents and the petitioner is on bail in all the aforesaid cases as stated in para 3 of the bail petition. As per the impugned order, the petitioner is in custody since 26.04.2024.

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 nature of allegation levelled against the petitioner and 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, Arwal, Jehanabad in connection with Karpi P.S. Case No. 320 of 2023, with a condition:-

(i). The petitioner is directed to remain physically present before the learned Court below



on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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