

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65795 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- RUPAULI District- Purnia

SHARWAN KUMAR Son of Sri Hari Shankar Singh @ Hari Shankar Sinha
R/o vill - Tillah, P.s. - Chousa, Distt. - Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-02-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120(B) and 506 of the Indian Penal Code.

3. The allegation against the petitioner is that on the instigation of co-accused Harishankar Singh, this petitioner being son of Harishankar Singh and Jayant Kumar assaulted the husband of the informant namely, Parmanand Singh by means of iron rod on his head due which he succumbed to his injury on the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to land dispute. Petitioner is nephew of the informant. Informant has lodged this case only



with a view to put pressure upon the petitioner to grab his land. Allegedly, two persons including this petitioner have assaulted the husband of the informant but only one injury was found on the head of the deceased. Thus, it is not specific that who is the main assailant of the deceased. Injury report and postmortem report do not corroborate with the prosecution version. Moreover, he is languishing in judicial custody since 19.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Rupauli (Mohanpur) P.S. Case No.143 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

