

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64781 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- BELHAR District- Banka

VIKRAM SHARMA Son of Nihar Sharma R/o vill - Bishwakarma Tola, P.S.
- Belhar (Khesar), Distt. - Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under section 302,
34, of the Indian Penal Code.

3. As per FIR, the allegation against the petitioner
and co-accused persons is that they due to previous land
dispute committed murder of the informant's husband by
assaulting him Dabiya and iron rod.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this present case due to dirty village politics and previous land dispute. It is submitted that many persons are named in the FIR but specifically it has not been stated that who assaulted to the deceased by which arms so general and omnibus allegation is made out against the petitioner. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 07.08.2023.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of Bail and submitted that the Post-Mortem Report is in consonance with the prosecution case and four sharp injuries are found on the person of the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, 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 Belhar (Khesar) P.S. Case No. 48 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, Banka.

(Sunil Kumar Panwar, J)

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