

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76235 of 2023

Arising Out of PS. Case No.-218 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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Abhishek Sharma Son Of Sukhdev Sharma R/O Village- Chhatauni Badhai
Tola, P.S.- Chhatauni, District- East Champaran, Motihari

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 302/34 of the Indian

Penal Code.

As per allegation in the FIR, informant's son,

namely, Prakash Kumar Sharma had gone outside of the

house but did not return. Later, his body was found in

injured condition. When he was taken to hospital, he was

declared dead by the doctor.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has any concern with the alleged offence. His name sprang up during investigation of the case. Nothing incriminating has been recovered from his possession. Moreover, the petitioner is languishing in judicial custody since 21.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Town P.S. Case No. 218 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to
the satisfaction of the learned Chief Judicial Magistrate,
Motihari, East Champaran.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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