

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81565 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- LODIPUR District- Bhagalpur

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Ram Kuber Sharma Son Of Aandi Sharma @ Anandi Sharma Resident Of
Village - Mahamadabad, P.S. - Babarganj, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Lodipur P.S. Case No.79 of 2023, lodged on 02.05.2023, under
Section 302 of the Indian Penal Code and under Section 27 of
the Arms Act.

3. As per the prosecution, the present FIR has been
lodged against the unknown criminals against whom allegation
is that the son of the informant was murdered. The name of the
petitioner transpired during investigation for being involved in
the murder of the son of the informant.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR. He submits that his name has
figured in this case by virtue of confessional statement of the



petitioner itself and the police has figured the name of the petitioner in this case only and only due to the reason that his antecedent is not clean. There are four criminal cases pending against the petitioner. He is in custody since 03.07.2023. Counsel submits that other co-accused has been granted bail by a coordinate Bench of this Court vide order dated 10.11.2023 passed in Cr. Misc. No.58367 of 2023.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean. It is true that by self disclosure his name has figured in this case but it is also true that the weapon used in the crime has been recovered from the possession of the petitioner.

6. In this background, this Court is not inclined to grant bail to the petitioner at present. Hence, the prayer for bail of the petitioner is hereby rejected. However, liberty is granted to the petitioner that nine months after framing of the charges the petitioner may renew his prayer for bail.

(Dr. Anshuman, J)

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