

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4702 of 2024

Arising Out of PS. Case No.-220 Year-2021 Thana- BELDOUR District- Khagaria

Sharvan Sharma Son of Ghanshyam Sharma R/o vill - Dadroja, P.S. - Beldaur,
Distt. - Khagaria, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Murli Dhar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 02-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Sessions Trial No. 429 of 2023 arising out of Suppl. Beldaur P.S. Case No. 220 of 2021, registered for the offences punishable under Sections 302/34 of the IPC and 27 of the Arms Act.

3. There is specific allegation against co-accused Basuli Sharma that he fired shot at the deceased. The allegation against the petitioner is that he was catching hold of the deceased from behind and co-accused Basuli Sharma fired at the deceased.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation is *prima facie* false. If someone catches hold of a person from behind and he was shot, there might be every



possibility that the person who was catching hold of the deceased, might have suffered injuries. The petitioner is under custody since 22.04.2023.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIIth, Khagaria in connection with Sessions Trial No. 429 of 2023 arising out of Suppl. Beldaur P.S. Case No. 220 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) The petitioner shall remain present physically on each and every date before the court below till framing of the charges. In case of failure on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Nawneet Kumar Pandey, J)

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