

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3225 of 2024

Arising Out of PS. Case No.-75 Year-2021 Thana- BELDOUR District- Khagaria

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

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 30-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Session Trial No. 531/2023 arising out of Suppl. Beldaur P.S. Case No. 75 of 2021 dated 07.04.2021 registered for the offences punishable u/s 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the co-accused, Pritam Kumar called the informant's brother Budhin at Dadroja where the petitioner was already present. Thereafter, they were going on motorcycle which was being driven by the co-accused, Pritam Kumar. The petitioner was sitting behind the informant's son and he fired on the back of the informant's brother from his



pistol and escaped towards maize field. Thereafter, the co-accused, Pritam Kumar also fired on the informant's brother. It is further alleged that the informant's brother reached Dadroja Panchayat and informed villagers. Thereafter, the injured was taken to hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the charge has been framed in this case. As per the injury report and the impugned order, it appears that the injury no. 1 sustained by the injured Budhin is stated to be grievous in nature by firearm but there is no allegation of repetition of firing against the petitioner. The petitioner has one criminal antecedent which is related to Section 302 of the Indian Penal Code as stated in para 3 of the bail petition. The petitioner is in custody since 24.05.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the specific allegation of firing against the petitioner due to which the informant's brother sustained injury.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Session Trial No. 531/ 2023 arising out of the Suppl. Beldour P.S. Case No. 75 of 2021 with the condition/s:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

