

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36616 of 2025

Arising Out of PS. Case No.-348 Year-2024 Thana- NAUBATPUR District- Patna

Bijendra Sharma @ Bijendra Kumar Sharma Son of Late Madan Sharma
VILLAGE-SAMANPURA ,P.S-NAUBATPUR ,DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard Learned counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Naubatpur P.S. Case No. 348 of 2024 lodged on 28.06.2024, for the offence punishable under Sections 341, 323, 302, 504, 120-B & 34 of the Indian Penal Code read with section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against 12 named accused persons including the present petitioner. It has been alleged in the FIR that 10 accused persons surrounded the informant's son and they had pistol in their hand and thereafter, co-accused Dharmendra and Sunny fired upon the informant's son which proved fatal and subsequently, when the informant took his son to AIIMS, Patna, but unfortunately,



Doctor declared him dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and entire family members have been made accused in this case. Counsel submits that the informant has disclosed 10 specific names in the FIR who assaulted the deceased (informant's son) but, name of petitioner is not there. Counsel submits that only in the last line of the FIR, a suspicion has been raised that in the killing of informant's son, the petitioner may created a conspiracy. Counsel submits that the petitioner is a retired military personnel aged about 57 years and on the alleged date of occurrence, he was present at Prayagraj and was taking treatment in Health Centre, Prayagraj which is annexed as Annexure-P/3. Counsel further submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him in which, he is on bail. Counsel also submits that one accused person has been granted anticipatory bail by the Co-ordinate Bench of this Court *vide* order dated 31.01.2025 passed in Cr. Misc. No.80033 of 2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case,



let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of A.C.J.M.-VI, Danapur, Patna, in connection with Naubatpur P.S. Case No. 348 of 2024, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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