

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38811 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- SHANKARPUR District- Madhepura

Ram Chandra Sharma Son of Late Bhikho Sharma Resident of Village-
Raibhir, Ward No. 5, P.S.- Shankarpur, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail

has been filed by the petitioner apprehending his arrest in

a case instituted for the offence punishable under

Sections 329(3), 307, 109, 3(5) of Bharatiya Nyaya

Sanhita.

3. As per allegation made in FIR, the petitioner

and two other co-accused persons were involved in the

theft of a motor pump installed in the informant's pond

(pokhar). It is further alleged that when the informant

and one Rinku Yadav attempted to apprehend them, the



miscreants assaulted them with a dagger. Thereafter, the petitioner, along with the co-accused persons, succeeded in committing the theft of the motor pump and fled from the spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. As per submission of learned counsel for the petitioner, there was enmity between the informant and petitioner and due to this reason, petitioner has been falsely implicated in this case. From perusal of FIR, it appears that there is no allegation against the petitioner of inflicting any dagger blow on the informant rather the specific allegation is against co-accused persons. There was no recovery of theft motor pump from possession of the petitioner rather it was recovered from a Maize field and alleged dagger was recovered from the possession of co-accused Raj Kumar Sharma and Chandra Shekhar. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



5. Learned A.P.P. for the State has vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Shankarpur P.S. Case no. 47 of 2025, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate I, Madhepura, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-

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