

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42096 of 2025

Arising Out of PS. Case No.-1199 Year-2023 Thana- KHAGARIA District- Khagaria

Naresh Sharma S/O Sukhdeo Sharma R/O Village- Jhamta, P.S.- Muffasil,
Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Khagaria (Muffasil) P.S. Case No. 1199 of 2023 instituted for
the offence under Sections 302/ 34 of the Indian Penal Code.

3. The allegation against the petitioner along with
others is of killing the husband of the informant.

4. The petitioner has earlier moved before this Court for
bail which was rejected by this Court vide order dated
15.05.2024 passed in Cr. Misc. No. 36350 of 2024.

5. Learned counsel for the petitioner submits that the
petitioner is in custody since 22-12-2023. He further submits
that till date, even the charge has not been framed against the



petitioner and, thus, there is no likelihood of the conclusion of the trial in near future. The petitioner is also suffering from heart disease since three years. He further submits that the co-accused Jaypriya Devi has already been granted anticipatory bail by this Court vide order dated 12.07.2024 passed in Cr. Misc. No. 30576 of 2024. Co-accused Amit Kumar @ Amit Kumar Sharma has also been granted bail by this Court vide order dated 24.06.2024 passed in Cr. Misc. No. 42037 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is specific allegation against the petitioner of giving *lathi* blow to the deceased. It is next submitted that postmortem report corroborates the allegation levelled in the FIR. He further submits that the prayer for bail of the co-accused Naresh Sharma has already been rejected by this Court vide order dated 15.05.2024 passed in Cr. Misc. No. 36350 of 2024.

7. Having heard learned counsel for the parties and taking into account the entire facts and circumstances of the case, the period of custody undergone by the petitioner as also the fact that the charge has not been framed as yet, let the petitioner, abovenamed, be released on bail, on furnishing bail



bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khagaria (Muffasil) P.S. Case No. 1199 of 2023, subject to the following conditions;

- (i) One of the bailor(s) shall be the own/close family members of the petitioner.
- (ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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