

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87664 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- KASIMBAZAR District- Munger

Rajiv Kumar Sharma @ Rajiv Sharma @ Rajeev Kumar Sharma @ Chhotu,
Son of Late Deepak Sharma, Resident of Village - Mohalla - Maniya
Chauraha, P.S. - Kasim Bazar, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amritesh Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 21-03-2025 Heard Mr. Amritesh Kumar, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned APP for the

State.

2. The petitioner has prayed for bail in connection
with Sessions Trial No. 251 of 2024 arising out of Kasim Bazar
P.S. Case No. 90 of 2024 registered for the offence punishable
under Sections 302, 201 and 34 of the Indian Penal Code.

3. The case of the prosecution is that one Raja Kumar
has threatened the son of the informant, namely, Vicky Sharma
of dire consequences as he has married his mother. Nine days
prior to 22.03.2024, Soni Devi, the mother of Raja Kumar has
died due to heart attack. On this, Raja Kumar threatened Vicky
Sharma of dire consequences. Vicky Sharma was underground



from 16.03.2024. On 22.03.2024, the informant got information that a dead body found in a well of Sanjay Mandal. When he went there, he found the dead body of his son Vicky Sharma.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. From perusal of the F.I.R., it transpires that the main thrust of allegation is against Raja Kumar. During course of investigation, Raja Kumar has given his confessional statement. In his confessional statement, he has named this petitioner. Learned counsel for the petitioner has further submitted that the petitioner is deaf and dumb and in confessional statement, the only role attributed to the petitioner is that he has helped the main assailant Raja Kumar in concealing the dead body. No other overt act is attributed. That much is only on the basis of confessional statement. No direct evidence is there. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 23.03.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Munger in connection with Sessions Trial No. 251 of 2024 arising out of Kasim Bazar P.S. Case No. 90 of 2024.

(Ashok Kumar Pandey, J)

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