

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20250 of 2012



Sikendra Sharma S/O Late Darogi Sharma R/O Village- Itmadi
(Pachbighi), P.S.- Beldaur, District- Khagaria

.... Petitioner

Versus

The State Of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 31-05-2012 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner seeks bail in Beldaur P. S. Case No. 2 of 2003 registered for offence punishable under Sections 147/148/149/323/364/120B of the Indian Penal Code.

Learned counsel for the petitioner submits that though petitioner is named in the F.I.R. but the allegation is general and omnibus. It is alleged that the informant's brother was kidnapped by one accused including the petitioner on the pretext of taking him to have fish. Learned counsel submits that thereafter the informant's brother was released and there is no other

allegation. The petitioner is in custody since 30.6.2011. Learned counsel has produced a web copy of the order dated 25.8.2010 passed by a coordinate Bench of this Court in Cr. Misc. No. 15406 of 2010 by which similarly situated co-accused, Jagdish Ram, has been granted bail. Let the same be kept on record. From the said order it transpires that other co-accused Jai Jairam Sharma and Vijay Sah have already been granted bail by this Court on 2.11.2006 in Cr. Misc. No. 17957 of 2006 and on 26.7.2006 in Cr. Misc. No. 21886 of 2006 respectively.

Learned A.P.P. for the State opposes the prayer for bail and submits that petitioner is a named accused and also has criminal antecedent. Thus, he does not deserve the privilege of bail.

Learned counsel for the petitioner by way of reply submits that the other co-accused also have criminal antecedent and petitioner is not the only one with criminal background.

Upon hearing learned counsels for the parties and considering the facts and circumstances of the case, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge, F.T.C.-IV, Khagaria, in connection

with Sessions Case No. 263 of 2010 arising out of Beldaur P.S.
Case No. 2 of 2003.

(Ahsanuddin Amanullah, J.)

sudip/-