

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55272 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -SHRIKRISHNAPURI District- PATNA

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Shankar Rai @ Vinay Kumar, son of Chhatu Rai, Resident of Dujra, P.S.
Budha Colony, Dist Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ghanshyam Tiwary

For the Opposite Party : Mr. B. Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

4 11-02-2016

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner is accused in connection with
Shrikrishnapur P.S. Case No. 42 of 2015, registered under Section
302/34 of the Indian Penal Code.

The allegation is that 5 to 6 persons, including named
accused Girish Singh, Guddu Singh @ Jitendra and Durgesh Sharma
surrounded to Santosh Singh and started to chase him and hurled a
bomb causing injury him, while Santosh Singh rushed to P.M.C.H.
Patna, where he was declared died. The informant claimed to identify
three unknown miscreants on seeing them again.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is not named in the F.I.R. and in course of
investigation, the petitioner was apprehended in S.K. Puri P.S. Case
No. 54 of 2015 and on the basis of the confessional statement of co-

accused and petitioner recorded by the Police showing the involvement of the petitioner in this case. While the informant has claimed to identify two unknown miscreants, but the petitioner has not put on T.I.P. up till now. Further submission is that, in fact, the petitioner is named accused in 11 cases and in all cases, petitioner has been enlarged on bail and due to that reason, the petitioner has been implicated by the Police in this case.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released 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 Smt. Khushboo Kumari, Judicial Magistrate, 1st Class, Patna in connection with Srikrishnapuri P.S. Case No. 42 of 2015. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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