

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47006 of 2016

Arising Out of PS.Case No. -96 Year- 2015 Thana -PIPRAHI District- SHEOHAR

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Shashi Singh @ Shashi Kuwar, Son of Ram Babu Kuer, resident of
Village- Bairiya, P.S.- Piprahi, District- Sheohar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shankar Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

6 10-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 29.12.2015 in connection with Piprahi P.S. Case No. 96 of 2015, G.R. No. 820 of 2015 for the offences alleged under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated due to village politics and the occurrence transpired in connection with a dispute between Lal Babu Rai and Sankhi Lal Rai when a mob of about 250-300 persons surrounded the petitioner along with a few others and brutally assaulted the petitioner who suffered acid attack in his eye. The petitioner has already suffered custody for more than one year. It is further stated that charge sheet has been submitted and hence there is no chance of tampering with the evidence. Statement is made at the bar on instruction that the petitioner has either been acquitted or is on bail in all the cases in which he has been made accused, except the present case as well as Riga P.S. Case No. 319 of 2015 which has



been instituted in connection with the same occurrence.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of Sri Vishal Kumar, learned Judicial Magistrate 1st Class, Sheohar, in connection with Piprahi P.S. Case No. 96 of 2015, G.R. No. 820 of 2015, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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