

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28940 of 2020

Arising Out of PS. Case No.-829 Year-2019 Thana- KATIHAR District- Katihar

SHAILENDRA SINGH S/o Ram Vilash Singh Resident of Mohallah-
Gaushala, P.S.-Katihar Sahayak, District-Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Mukesh Kr. Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-11-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Mukesh Kr. Singh, the learned APP for the State.

The petitioners seek regular bail in connection with Katihar Nagar Sahayak PS case no. 829 of 2019 instituted for the offences punishable under Sections 341, 384, 307/34 of Indian Penal Code and 27 of Arms Act.

The allegation is regarding the petitioner having fired gun shots on the informant on the alleged date and time of occurrence, however the same did not hit the informant and instead, the bullet hit the wall of the house of the informant.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 10.02.2020. It is further submitted that only on account of bad antecedent of the petitioner herein, he has been falsely implicated in the present case.

Per contra, the learned APP for the State vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the period of incarceration of the petitioner herein and the fact that the gun shots fired by the petitioner had not hit the informant and moreover, no second attempt was made by the petitioner to fire gun shots on the informant, I deem it fit and appropriate to direct for release of the petitioner on bail, however subject to certain conditions. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar Nagar Sahayak PS case no. 829 of 2019.



This Court further directs that since the investigation of the present case is going on, the petitioner herein shall appear before the Officer-in-charge of the concerned police station on each and every Monday of the week at 10.00 AM and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

