

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50215 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- MATIHANI District- Begusarai

SHAMBHU SINGH @ SAMBHU SINGH Son of Late Sonelal Singh @
Sonelal Singh Resident of Village- Ramdiri, Nakti ,Ward No.06, P.S.-
Matihani, Dsitric- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Matihani P.S.
Case No. 74 of 2021 registered for the offences punishable
under Sections 341, 323, 307, 504, 506, 34 of the IPC and
Section 27 of the Arms Act.

As per FIR, co-accused Shankar Singh fired upon the
informant which hit on his right hand. Again Shankar Singh
fired upon the informant which hit on the left side of waist of
the informant.

Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. He further submits that it appears from the FIR itself that due to land dispute, the present FIR has been instituted. He further submits that it appears from the FIR itself that alleged occurrence took place on 03.06.2021 whereas the present FIR has been registered on 15.06.2021. Learned counsel further submits that it appears from the FIR that allegation of firing is against co-accused Shankar Singh. There is general and omnibus allegation against the petitioner and other accused. Petitioner is in custody since 16.06.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries nine criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, 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 learned Judicial Magistrate, 1st Class, Begusarai in connection with Matihani P.S. Case No. 74 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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