

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20868 of 2022

Arising Out of PS. Case No.-234 Year-2021 Thana- SHANKARPUR District- Madhepura

Shashi Kumar son of Shaligram Yadav Resident of Village - Jharkaha, ward
No. 13, Police Station - Shankarpur, District - Madhepura.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate.

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-07-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Shankarpur P.S. Case No. 234 of 2021 lodged under Sections
353, 307, 332, 333, 504, 506, 34 of the Indian Penal Code read
with 25(1-B)a, 26, 27, 35 of the Arms Act.

The prosecution case is that the police party was on
duty patrolling and reached near Garage of one Vishwakarma
and found 3 motorcycles, with a view to search in Garage, torch
light was thrown, then one person started threatening to the
police to make fire and he fired also. It has been alleged that the
police have seen that 5-6 persons are in the Garage, police has
caught one person after chase who disclosed his name as Shashi
Kumar (petitioner).



Learned counsel for the petitioner submits that alleged Shashi Kumar was apprehended but nothing was recovered from his possession rather the motorcycle which was kept there has been shown to be recovered from his possession. It has been further submitted that the name of the petitioner has come only due to the reason that he was present at the place where police has raid. It has been further submitted that the alleged three motorcycles and one empty cartridge were recovered from the Garage of Vishwakarma and not from the possession of the petitioner. Neither he is the owner of said Garage nor he is the owner of said three motorcycles. As per the extreme allegation in the F.I.R. the petitioner has fired but no one was injured by the said fire. Learned counsel for the petitioner further submits that he is in custody since 29.12.2021 and charge sheet has already been filed in this case and the petitioner has no criminal antecedent.

Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances and the submissions made above of this case, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate-I,
Madhepura in connection with Shankarpur P.S. Case No. 234 of
2021, subject to the conditions as laid down under Section
437(3) of the Cr.P.C.

Accordingly, the bail application stands allowed.

(Dr. Anshuman, J.)

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