

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37315 of 2022

Arising Out of PS. Case No.-270 Year-2020 Thana- SHAMBHUGANJ District- Banka

Shashibhushan Singh Son of Late Chitranjan Kumar Singh @ Late Chitranjan
Pd. Singh Resident of village- Garhi Mohanpur, Police Station- Shambhuganj,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Shambhuganj P.S. Case No. 270 of 2020 lodged under Sections
386, 307, and 34 of the I.P.C. and Section 27 of Arms act.

As per the prosecution case, the allegation of
demanding ransom is against 5 named accused persons in the
FIR. Learned council for the petitioner submits that it is out and
out a false case. He submits that father of the petitioner earlier
lodged an FIR in Sambhuganj Police Station Case No. 31 of
2011 against the informant and his family members and with a

view to save their skin and due to previous animosity the present petition has been lodged by the informant against them. He further submit that even on merit the allegation is upon Manohar Singh to fire but the said fire has not injured anyone. The only allegation against the petitioner is that only on his order the alleged fire took place. Learned Counsel submit that petitioner is in custody since 11.01.2021, charge sheet has already been filed. There is one criminal antecedent in which his bail application is pending before this court. He is ready to fulfill all the conditions whatsoever shall be imposed upon him by the court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Banka/Successor court Banka in connection with Shambhuganj P.S. Case No. 270 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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