

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58954 of 2021

Arising Out of PS. Case No.-140 Year-2020 Thana- SAKURABAD District- Jehanabad

Shailesh Kumar S/O Vinay Yadav R/O Village-Ishahchak, P.O- Aira, P.S-
Shakurabad, Ishaq Chak, District-Jehanabad, BIHAR

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
307, 338, 302/34 of the Indian Penal Code.

Prosecution case is that the son of the informant went
for walking and during the course of walking, some miscreants
brutally assaulted him and after that he came to his house and
fell down and became unconscious. It is further alleged that the
informant got knowledge about the occurrence by social media.
Thereafter, the informant took him to Jehanabad for medical



treatment and during the course of treatment, he died. It is further alleged that in the occurrence, co-accused Rajnish Kumar, Raju Kumar and some other boys of village Chakya (Ishachak) are involved in the alleged commission of offence and they also snatched mobile of Md. Nasim during the alleged occurrence.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner has been made accused on the confessional statement of co-accused. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court on 01.04.2022 passed in Cr. Misc. No. 59594 of 2021. Some of the co-accused has also been acquitted by the learned court below in Session Trial No. 10 of 2021. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the fact that similarly situated co-accused has already been granted bail, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today,



be enlarged on bail on furnishing bail bond of Rs.25,000/-
(Rupees Twenty Five Thousand) with two sureties of the like
amount each to the satisfaction of the learned court below
where the case is pending/successor court in connection with
S.T. No. 10 of 2021/06 of 2021 arising out of Shakurabad P.S.
Case No. 140 of 2020, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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