

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65740 of 2021

Arising Out of PS. Case No.-593 Year-2021 Thana- KANKARBAG District- Patna

SHEKHAR KUMAR, Son of Late Harendra Prasad Singh Resident of Ashok
Nagar Road No.11, near Devi Asthan, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok, Advocate

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

The petitioner seeks bail in connection with Kankarbagh P.S. Case No. 593 of 2021 registered for the offence under Sections 25(1-b) a/26/27/35 of the Arms Act and 37 (c) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, petitioner along with other accused person were firing indiscriminately at about 12.00 P.M. in the air in intoxicating condition and creating a sense of fear around them. Thereafter, recovery is of one country made pistol and three live cartridges was made from the petitioner.



Learned counsel appearing for the petitioner submits that the petitioner is innocent having no criminal antecedent. It appears from the FIR as well as seizure list that recovery of one country made pistol with three live cartridges was made from the conscious possession of the petitioner. He further submits that police after investigation submitted charge-sheet against the petitioner and other accused person. The petitioner is rotting in judicial custody since 06.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the above named, petitioner 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 learned Special Judge, Excise Act, Patna, in connection with Kankarbagh P.S. Case No. 593 of 2021 with 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 canceled 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.

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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