

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66590 of 2021

Arising Out of PS. Case No.-35 Year-2012 Thana- PARBATTIA District- Khagaria

SHALO SINGH @ SHAILENDRA SINGH Son of Late Chandra Shekhar
Singh Resident of Village - Srirampur, Thuthi, P.S.- Parbatta, District -
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302 and 34 of the Indian Penal
Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 17.06.2021, charge-sheet has been
submitted in the case and has antecedent of one case.

Learned counsel for the petitioner submits that the
informant alleges that the petitioner and Hareram fired at his
brother killing him on the spot, further that his brother had
instituted a criminal case earlier against the petitioner, Hareram
and others in respect of firing and injuring the elder brother of the
deceased also the petitioner had tried to kill the deceased earlier by
a truck.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case and co-accused Hareram who is similarly or rather identically situated like the petitioner has been granted bail vide order dated 10.09.2015 passed in Cr. Misc. No. 16776 of 2015, as such the learned counsel submits that petitioner be also enlarged on bail on the basis of parity.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that no doubt as per order dated 10.09.2015, the case of the present petitioner is akin to the case of Hareram but then this petitioner has been arrested after nearly nine years of the occurrence and if the petitioner is granted bail then he may abscond and delay the trial.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present bail application with liberty to the petitioner to renew his prayer for bail after framing of charge.

Permission is accorded with the liberty as aforesaid.

Accordingly, the present bail application is dismissed as withdrawn.

(Satyavrat Verma, J)

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