

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12963 of 2023

Arising Out of PS. Case No.-287 Year-2017 Thana- GARKHA District- Saran

SHILANATH SINGH S/O Late Jagarnath Singh R/O Village- Mahamadpur,
P.S- Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushkar Narain Shahi, Sr. Advocate Mrs. Diksha Singh, Advocate
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 22-03-2023 Heard Mr. Pushkar Narain Shahi, learned Senior

Counsel duly assisted by Mrs. Diksha Singh for the petitioner

and learned APP for the State.

The petitioner is in judicial custody in connection
with Garkha P.S. Case No. 287 of 2017 dated 13th of July 2017
registered for the offences under Section 147, 148, 149, 341,
302 and 120B of the Indian Penal Code and Section 27 of the
Arms Act.

The allegations as per the First Information Report is
that the informant and his 'Samdhi' were proceeding towards
Chapra Court on two different motorcycles. When the informant
stopped at Petrol Pump for refueling his motorcycle, he heard
gun shots, ran towards the alleged place of occurrence and
found that accused persons have surrounded his 'Samdhi' and



have opened fire which finally resulted into the death of Ramendra Sharma.

Earlier the petitioner had moved before this Court vide Cr. Misc. No.50403 of 2021 which was rejected on 30.03.2022.

Taking into account the period of custody, 25-01-2021 as inscribed in para-25 of the petition as also the fact that ultimately he has to face the Trial, this Court is inclined to grant him privilege of bail with strict conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Garkha P.S. Case No. 287 of 2017 to the satisfaction of learned Additional District Session Judge, VII, Chapra, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;



(iii) the petitioner shall appear before the concerned police station till conclusion of the Trial to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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