

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.28326 of 2023

Arising Out of PS. Case No.-226 Year-2019 Thana- SHAHKUND District- Bhagalpur

Shildhar Sah Son Of Late Chuturi Sah Resident Of Village - Jhitkia, P.S. -
Sajour, Distt. - Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant
of regular bail in connection with Shahkund P.S Case No. 226
of 2019 and S.T. case No. 79 of 2021 dated 29.08.2019
registered for the offences punishable under Sections 302 and 34
of the Indian Penal Code.

As per the prosecution case, the petitioner and the co-
accused persons are alleged to have killed the mother-in-law of
the informant by sawing the neck of the deceased with a sharp
weapon at night by entering her house through back door.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that it is a case of first misuse of the privileged of bail. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.02.2023.

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

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Shahkund P.S Case No. 226 of 2019 , with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

Atul/-

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