

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37343 of 2023

Arising Out of PS. Case No.-479 Year-2022 Thana- GAURICHAK District- Patna

SANKAR SINGH @ SHANKAR SINGH S/O JAGLAL RAI R/O Village-
Devar Sokhi (Bhagwanpur), PS. Fatuah, Dist. Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 18.08.2022 in connection with Gaurichak P.S. Case No. 479 of 2022, F.I.R. dated 20.07.2022 registered for the offence punishable under Section 302 of IPC and Section 27 of Arms Act.

3. The father of the informant is said to have been shot by the petitioner and due to gunshot he died.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and as per FIR allegation against the



petitioner is that he fired upon the victim. Learned counsel for the petitioner submits that the informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion the petitioner has been implicated in the present case and the trial has begun and prosecution witness Nos.1 to 4 including the informant have already been examined by the learned Trial Court and all the prosecution witnesses have become hostile and the petitioner is in custody since 18.08.2022.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and inquest report also suggests that the cause of death of the victim is due to firearm injury but fairly submits that four witnesses have been examined and they are declared hostile and apart from the aforesaid the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, 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 1st Additional District and



Sessions Judge, Patna City, Patna in connection with Gaurichak
P.S. Case No. 479 of 2022, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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