

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53577 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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SHANKAR KUMAR SON OF ASHOK YADAV R/O VILLAGE-
SAKSOHRA, P.S.- SAKSOHRA, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mr.Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 18-03-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in

connection with Sheikhopur Sarai P.S. Case No. 86 of 2022,

registered for the offences punishable under Sections 147, 148,

149, 307, 323, 504, 506 of the Indian Penal Code & 27 of the

Arms Act.

The specific allegation against the petitioner is that

he opened fire which hit the left leg of the brother of the

informant.



The learned counsel for the petitioner has submitted that the petitioner is under custody for a period of 9 months. He has further submitted that for the same occurrence Sheikhopur Sarai P.S. Case No. 85 of 2022 was registered under Section 25 (1-b)a/26/35 of the Arms Act in which the petitioner has been granted bail.

On the other hand, the learned APP, Mr. Yogendra Kumar has submitted that there is direct allegation against the petitioner of firing at the brother of the informant and the injury report is still awaiting.

The investigation has been completed. The custodial interrogation is not required. The petitioner is under custody for a period of 9 months.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 86 of 2022, subject to the following conditions:-

(i) If it is detected that the petitioner is involved in any other case of similar nature except Sheikhopur Sarai P.S.



Case No. 85 of 2022, the learned court below would be at liberty to cancel his bail bond.

(ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(iii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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