

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55106 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Shankar Kumar S/O Ashok Yadav @ Ashok Kumar 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, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Shekhopur Sarai P.S. Case No. 85 of 2022 registered for the offences punishable under Sections 25 (1-b)a/26/35 of Arms Act.

As per the prosecution, the police personnel acting upon a secret information raided the alleged place and apprehended this petitioner and other co-accused persons and from the possession of this petitioner a pistol was recovered which was used in the alleged incident of firing.

The main submissions advanced by learned counsel for the

petitioner are that the petitioner has been languishing in jail since 04.06.2022 and against him there is a criminal antecedent of one case which relates to the same occurrence and the same was lodged under the offences of IPC and under Section 27 of Arms Act and the instant matter relates to the recovery of the fire arms, at the place of occurrence the police did not recover any empty cartridge and at the time of alleged occurrence when the petitioner was apprehended, a partition dispute was running in between the petitioner's family and the family of his agnate and the same was said to be the genesis of the occurrence and against the petitioner investigation has been completed and he has been chargesheeted.

Learned APP has opposed the bail prayer.

In view of the facts, as stated above, mainly considering the petitioner's custody period and also the fact that as per above submission the petitioner's case is at the initial stage of trial, this Court is inclined to accept the petitioner's prayer for bail. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Shekhopur Sarai P.S. Case No. 85 of 2022.

(Shailendra Singh, J)

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