

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64486 of 2022

Arising Out of PS. Case No.-61 Year-2020 Thana- SHRI NAGAR District- Madhepura

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SHAMBHU SAH S/O SHIVAJEE SAH @ SHIV SUNDER SAH Resident of
Village- Permanandpur, P.S.- Sri Nagar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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

ORAL ORDER

2 22-03-2023 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 a case registered u/s 302 of the Indian Penal
Code and 27 of Arms Act.

As per the prosecution case, some unknown
miscreants entered the room of the informant and shot the
informant's wife dead while the informant along with wife and



his children was sleeping in the said room. Thereafter, they fled away.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no eye-witness of the case. The petitioner is not named in the FIR. The name of the petitioner has surfaced during the course of the investigation. The petitioner is also accused in eight other criminal cases which are not related to murder case as stated in para 3 of the bail petition. The petitioner is in custody since 26.02.2021.

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, Madhepura in connection with Shri Nagar P.S. Case No. 61 of 2020, 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)

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