

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61965 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- KARPI District- Jehanabad

SHASHI SHEKHAR SON OF SAKALDIP SINGH R/O VILLAGE- KARPI,
P.S.- KARPI, DISTRICT- ARWAL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 308, 504 and
34 of the Indian Penal Code.

According to prosecution case, while the informant
was discussing the matter for partition of land with his mother,
in the meantime, the petitioner along with co-accused namely
Sunil Kumar started abusing the informant and when the same
was protested, both assaulted the informant by means of garasa
on his head, as a result of which, he sustained head injury.
Thereafter, nearby people came there and he was treated at
Primary Health Centre, Karpi.



Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. itself that due to land dispute, the present occurrence took place. He further submits that there is direct allegation against the petitioner that he assaulted the informant by means of garasa. He further submits that the informant is full brother of the petitioner and due to land dispute, the present occurrence took place and the petitioner in spur of moment has assaulted his brother. He further submits that there was no intention to kill the informant. The police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 12.09.2022.

The learned counsel for the informant as well as learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner and submits that the injury of the informant suggests that the injuries are grievous in nature.

Considering the aforesaid facts and circumstances, 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 the learned Court



below where the case is pending in connection with Karpi P.S.

Case No.26/2022, subject to the following conditions:-

1. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. 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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