

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67190 of 2023

Arising Out of PS. Case No.-788 Year-2022 Thana- MANER District- Patna

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Shashikant @ Chhotu@ Shashikant Kumar Upendra Singh R/O Vill Mahuari
Bagicha, Ps Maner Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Nayan Choubey, Advocate
Mr. Ambuj Nayan Choubey, Advocate
Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-12-2023 Heard the learned senior counsel for the petitioner,

Shri Kamal Nayan Choubey and learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Sections 302 & 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and others are said to have shot at the deceased which has resulted into his death.

4. Learned senior counsel for the petitioner submits that informant who is the father of the deceased is not an eye



witness to the occurrence. It has further been submitted that it has come during investigation that in the procession for immersion during Laxmi Pooja, the accused persons and others had resorted to firing to celebrate the pooja and one of the bullet fired by someone hit the deceased and this is not a case of murder but the deceased sustained gun shot injury due to celebratory firing resorted by someone. Petitioner is in custody since 18.03.2023.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail **after framing of charge if the charge is not framed yet** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Danapur, Patna/concerned Court below in connection with Maner P.S. Case No. 788 of 2022 subject to condition that:-

7(1) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on absence on two consecutive



dates without sufficient reason, the bail bond shall be cancelled by the Court below.

(Sandeep Kumar, J)

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