

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20463 of 2024

Arising Out of PS. Case No.-19 Year-2017 Thana- ANTI District- Gaya

Shashi Kumar @ Shashi Kant Kumar S/o Shri Shiv Shankar Das R/o Village -
Khabaspur, P.S. - Aanti, Dist. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
		Mr. Nawal Kishor Prasad, Advocate
For the Opposite Party/s	:	Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Aanti P.S Case No. 19 of 2017 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 427, 307,
302, 504, 509 of the I.P.C

3. As per prosecution case, allegation against the
petitioner and co-accused to has assaulted informant and her
family due to this one Kuldeep Das died during the course of
treatment.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is further
submitted that some of the co-accused already granted bail by



the Co-ordinate Bench of this Court. It is next submitted that allegation against the petitioner is not specific whereas it is general and omnibus. It is also submitted that petitioner is in judicial custody since 31.05.2023. Similarly situated co-accused person has already been granted bail by co-ordinate Bench of this Court passed in Cr. Misc. No. 15605 of 2024 vide order dated 12.03.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail ***after framing of the charge*** on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – XII, Gaya in connection with Aanti P.S Case No. 19 of 2017.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the petitioner shall be released on bail on



the above conditions and he shall be present physically on each and every date before the trial court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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