

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28535 of 2024

Arising Out of PS. Case No.-606 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

Shishupal Kumar Son Of Badri Mahto @ Badri Prasad Resident Of Village -
Devisarai, P.S. - Deepnagar, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binit Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Laheri P.S. Case No. 606 of 2022, registered on 24.11.2022, for the alleged offence under Sections 147, 148, 149, 341, 323, 353, 307, 427, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, the petitioner and other co-accused persons put blockade on road and took out a procession after they entered into a fight with another group. Specific allegation against the petitioner is that he opened fire after drawing pistol from his waist, causing huge commotion. The hoodlums also started arsoning in a bus stand and assaulted the persons who were present there.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegation of opening fire is completely false and concocted. If the petitioner opened fire in a crowded place, it is surprising that no one has received injury, but the petitioner is a businessman and was present at the place for business purposes. The occurrence took place due to dispute over stoppage of buses of two companies and the petitioner has no concern with the said dispute. The petitioner has been made accused in a number of cases under Excise Act but the same is not material for consideration of prayer of bail of the petitioner as he is in custody since 22.01.2024 and charge-sheet has been submitted against him. Learned counsel further submits that a number of co-accused persons have been granted anticipatory bail by this Court as well as by other Co-ordinate Benches.

05. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten



Thousand Rupees Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/concerned court in connection with Laheri P.S. Case No. 606 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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