

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40208 of 2024

Arising Out of PS. Case No.-1448 Year-2023 Thana- DANAPUR District- Patna

Shubham Sau @ Shubham Kumar @ Shubham @ Chadda Son of Shambhu
Sau @ Prasat Gupta Resident of Village - Petiya Bazar, Sabji Mandi P.S. -
Danapur, District - Patna, Bihar, Pin-801503.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishikant, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-06-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.222 of 2024 (arising out of Danapur P.S. Case no.1448 of 2023) registered under sections 307, 387, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the accused persons came there and threatened the informant on the night of Diwali to pay rangdari. One of them was carrying a pistol. He resorted to firing but no one was injured. It is stated that the informant protested to the demand. The accused persons were chased. One of the persons who was in an intoxicated state was caught and he was the petitioner



herein.

4. Learned counsel for the petitioner submits that the petitioner and the informant are neighbours and the petitioner has been falsely implicated in the case for oblique reasons. The manner of occurrence is other than what has been narrated in the F.I.R. It is further submitted that though the allegation has been levelled on the petitioner being in an intoxicated state, however, the F.I.R. was not registered under the Bihar Prohibition and Excise Act, 2016. The cause of false implication of the petitioner is his antecedents. He is in custody since 15.11.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the submissions made by learned counsel for the petitioner, no person having been injured in the alleged firing resorted to by the accused persons and the petitioner having remained in custody since 15.11.2023 together with chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.222 of 2024 (arising out of Danapur P.S. Case no.1448 of 2023) on furnishing bail bond of Rs.10,000/ (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge V, Danapur, Patna.

(Partha Sarthy, J)

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