

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61857 of 2024

Arising Out of PS. Case No.-191 Year-2019 Thana- SHEOHAR District- Sheohar

Abhishek Singh @ Abhishek Kumar Singh @ Abhishek Kumar son of Ashok
singh @ Ashok Prasad Singh Village -Gangor, ps- bakhri district- Begusarai
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-11-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sheohar P.S. Case No. 191 of 2019, lodged on 19.08.2019 under
Sections 307/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused person alleging therein that on
16.08.2019 while the informant being a medical officer was
performing his duty at Primary Health Center, Sheohar,
unknown bike borne accused persons arrived and opened fire
upon the informant with an intention to kill him.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
further submits that the petitioner was not named in the FIR
rather his name has figured in this case on the basis of
confessional statement of co-accused. The allegation is general



and omnibus and nothing incriminating has been recovered from the possession of the petitioner. The petitioner has not been put on the Test Identification Parade till date. The petitioner is in custody since 25.06.2024 and the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him.

5. Learned Counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed** as well as on being satisfied by the Trial Court that the petitioner is not absconding in Shyampur Bhataha P.S. Case No. 93 of 2019, which is pending against him, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheohar in connection with Sheohar P.S. Case No. 191 of 2019 , subject to the following conditions as laid down under Section 437(3) of Cr.P.C. as well as with following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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