

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4550 of 2025

Arising Out of PS. Case No.-165 Year-2023 Thana- DHANSOI District- Buxar

Hanuman Shukla S/o Jitendra Shukla R/o Village- Parbatchak, P.S.- Dhansoi,
District- Buxar (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no. 288 of 2024, arising out of Dhansoi P.S. Case no. 165 of 2023 registered under sections 307, 147, 148, 149, 341, 323, 447, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that on the orders of Jitendra Shukla, his son Hanuman Shukla, the petitioner herein, fired from his pistol causing gunshot injury on the shoulder of Saroj Yadav as a result of which he fell down injured. Thereafter Jitendra Shukla is said to have assaulted Ghanshyam Yadav with an iron rod.

4. Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 3.5.2024 (Annexure-P/1) passed in Cr. Misc. no. 16427 of



2024. Inspite of the petitioner cooperating in the learned Court below, there is no progress whatsoever in the trial and as per instructions received, not a single witness has been examined on behalf of the prosecution. The petitioner is in custody since 13.11.2023 and undertakes to cooperate in the trial and abide by the conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned A.P.P. for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 18.2.2025 of the learned District and Additional Sessions Judge III-cum-Special Judge M.P/M.L.A., Buxar, charge was framed in the case on 18.12.2024 and summons on witnesses of charge-sheet was issued on 9.1.2025, however no witness has been examined. The prosecution has been directed to produce their evidence.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the final injury report which has been received in course of investigation wherein the nature of injury though caused by firearm has been found to be simple in nature, the petitioner having remained in custody for about 1 year 4 months



since 13.11.2023 and no witness turning up for examination on behalf of the prosecution inspite of charge having been framed on 18.12.2024, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 288 of 2024 (arising out of Dhansoi P.S. Case no. 165 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 District and Additional Sessions Judge-III, Buxar on the following conditions :-

(I) The petitioner shall remain physically present in the learned trial Court on each date and shall cooperate in the trial.

(II) In case the petitioner remains absent on any single date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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