

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3241 of 2025

Arising Out of PS. Case No.-827 Year-2024 Thana- SHASTRINAGAR District- Patna

Shrikant Singh Son of Ramawatar Singh village- Barahiya Ps- Barahiya, Dist-
Lakhisarai, P/A- Rajeev Nagar, Road No. 9 PS- Rajeev Nagar, Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 20-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Shastri
Nagar P.S. Case No. 827 of 2024 instituted for the offences
under Sections 109, 308(3), 324(4), 352, 351(2) of the Bhartiya
Nyaya Sanhita, 2023 and Section 37 of the Bihar Prohibition
and Excise Act, 2022.

3. As per prosecution case, the accusation against the
petitioner is of creating nuisance, abusing as also assaulting the
Informant in drunken state.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case with false and frivolous allegations. The petitioner



has not committed any offence as alleged in the F.I.R. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner. The written report filed by the Informant is contradictory to the allegations levelled in the F.I.R. which creates doubt in the prosecution case. He further submits that in course of investigation, no ocular or convincing evidence has come against the petitioner. The petitioner has no criminal antecedent and is languishing in judicial custody since 22.10.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that there is serious allegation of assault by knife upon the victim with an intention to cause murder. The police has also recovered knife from the possession of the petitioner. The injury report supports the prosecution case. Charge-sheet has been submitted against the petitioner under Sections 109, 308(3), 324(4), 352, 351(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 37 of the Bihar Prohibition and Excise Act, 2022 The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case, the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shastri Nagar P.S. Case No. 827 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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