

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38312 of 2025

Arising Out of PS. Case No.-702 Year-2023 Thana- NAUBATPUR District- Patna

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Shashi Shekhar Sharma @ Shashi Shekhar Son of Sri Niwash Sharma
Resident of Village- Sheikhpura, Police Station- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate
		Mr. Krishna Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 28-07-2025 Heard learned Senior Advocate appearing on behalf

of petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in

connection with Naubatpur P.S. Case No. 702 of 2023 for the

offence punishable under Sections 302, 201 and 34 of the Indian

Penal Code and 27 of the Arms Act.

3. The First Informant Report was lodged against

unknown persons for causing death of informant's son by

firearm.

4. Learned Senior Advocate appearing for the

petitioner submits that the petitioner has not been named in the

F.I.R and the same has been lodged against unknown persons. It

has also been admitted in the F.I.R. that the deceased was a

person of criminal background who was absconding in other case. The name of the petitioner has surfaced in this case during the course of the investigation in the restatement of the informant, who has stated that she got to know from some villagers that his deceased son was called by this petitioner. However, there is no disclosure of the source of such information and this fact has only been stated by the informant and his another son, whereas, no other independent witness or any other villager makes any such statement. Further in the F.I.R, no suspicion was raised against the petitioner or any one else and the material disclosed during the course of the investigation is also based on a vague suspicion. It has also been submitted that had there been any such suspicion against the petitioner, there is no reason why the same was not raised in the F.I.R. itself. The petitioner undertakes to co-operate in investigation/trial.

5. The learned APP has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period four weeks be released on bail on furnishing bail bond of

Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII, Danapur in connection with Naubatpur P.S. Case No. 702 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner would make himself available before the Investigating Officer as and when required and would cooperate in the investigation. In case, it is found that the petitioner is not cooperating in the investigation, the learned Court below would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J.)

Jyoti Kumari/-

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