

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11625 of 2017

Arising Out of PS.Case No. -83 Year- 2015 Thana -SULTANGANG District- PATNA

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1. Sonu @ Kanchhedia @ Chhedia, Son of Md. Multan, resident of
Mohalla- Khan Mirja, P.S.- Sultanganj, District- Patna..... .. Petitioner/s
Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 08-04-2017 Heard both sides.

The petitioner seeks bail in Sultanganj P.S. case No.
83 of 2015 under Section 302, 379, 34 of the Indian Penal Code
and under Section 27 of the Arms Act.

The informant alleged that on 14.06.2015, at about
7.45 PM, somebody rang her husband from mobile No.
9534741616 and called her husband. Her husband went on such
call but did not return. After some time a sound of firing was
heard and it transpired that her husband was killed. The informant
suspected that the person who called from mobile No.
9534741616 killed her husband after calling him. She further
alleged that Rinku had taken Rs. 40,000/- for preparing a
document for land but neither the money was returned nor the
deed was executed by Rinku.

The learned counsel for the petitioner submits that



petitioner is not the owner of SIM No. 9534741616. The aforesaid SIM was issued in favour of Ram Dahin Singh, resident of district Aurangabad. There is no other tangible material to show the involvement of the petitioner. The petitioner has got no enmity with the deceased.

On the other hand, the learned counsel for the informant as well as the learned Additional Public Prosecutor, while opposing the prayer for bail, submitted that it has come during the course of investigation that petitioner was using the same SIM and it was the petitioner who called the husband of informant but it appears that there is nothing on record to show that the aforesaid SIM was used by the petitioner and the petitioner called the deceased, husband of the informant.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged 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 Chief Judicial Magistrate, Patna City, Patna in Sultanganj P.S. Case No. 83/2015.

(Prabhat Kumar Jha, J)

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