

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5552 of 2017

Arising Out of PS. Case No. -130 Year- 2015 Thana -KHAIRA District- SARAN

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Sonu Kumar @ Sonu Kumar Sharma, Son of Sri Chandrama Sharma,
resident of Village- Arwan Kothi, P.S.- Khaira (Nagra), District- Saran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-03-2017 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner, who is in custody since 26.05.2016, has renewed his prayer for bail in connection with Sessions Trial No. 567 of 2016 arising out of Khaira (Nagra) P.S. Case No. 130 of 2015 having earlier been bail rejected by order dated 12.07.2016 in Criminal Miscellaneous No. 27313 of 2016.

3. Learned counsel for the petitioner reiterates that ingredients of Section 307 of the Indian Penal Code are not made out as there was no repetition of blow. The alleged occurrence resulted from family dispute between the parties. Moreover, the injury report is not reliable as the same discloses assault by "sharp blunt object" which is self-contradictory.

4. Having regard to the entirety of the facts and circumstances of the case as well as period of custody of the petitioner since 26.05.2016 already suffered, let him be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Saran at Chapra in connection with Sessions Trial No. 567 of 2016 arising out of Khaira (Nagra) P.S.



Case No. 130 of 2015 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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