

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52534 of 2018

Arising Out of PS. Case No.-19 Year-2018 Thana- PARSABAZAR District- Patna

Sonu Kumar, son of Mr. Nawal Kishore Singh, Resident of Village- Kurthaul Chakia, Gopalchak, P.S. Parsa Bazar, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Fahad Khurshid, Advocate.

For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-11-2018 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 504, 385, 307/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 25.01.2018 at 9.00 A.M. co-accused Surendra Singh came to the house of the informant and took him outside of his house where sons of Surendra Singh, namely, Tunu, Shailesh Kumar, co-accused Golu Kumar and Sonu Kumar (petitioner) were present. Earlier they demanded Rs. 2,00,000/- as ransom from the informant which was not paid to them. On refusal, Co-accused Surendra Singh, Golu and Sonu (petitioner) caught hold him. In the meantime, co-accused Tunu and Shailesh Kumar opened fire



upon the informant which hit in his waist as a result of which, he fell down and sustained injuries. Thereafter he was admitted in P.M.C.H.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The present case is outburst of Annexure-2 to the present application which was instituted by the petitioner as back as in the year 2016. Hence, for malafide reason he has been made accused in the present case.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R. Specific allegation has been made against the petitioner for catching hold of the informant when firing was made by co-accused upon the informant.

Considering the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Parsa Bazar P.S. Case No. 19/18, pending in the court of learned A.C.J.M.-cum-C.B.I. IIInd, Patna. Anyhow, if the petitioner surrenders and prays for regular bail in the court below, the same shall be considered on its own merit without



being prejudiced by this order of the Court.

(Sudhir Singh, J)

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