

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18360 of 2018

Arising Out of PS.Case No. -120 Year- 2017 Thana -OBRA District- AURANGABAD

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Sonu Kumar @ Parven Kumar @ Praveen Kumar S/o Brij KIshore Singh,
resident of village-Ekauna, P.S.-Obra, District-Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
: Mr. Bhaskar Shankar, Advocate
For the State : Mr. Surendra Prasad Singh, APP
For the Informant : Mr. Dharendra Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Obra P.S. Case No.120 of 2017 registered under Sections 302,
307, 323, 324, 325, 326, 504, 247, 148 and 149 of the Indian Penal
Code.

It is submitted by the learned counsel for the petitioner
that there is case and counter case. So far as the petitioner is
concerned, there is no specific overt act alleged against him. He
was simply a member of an unlawful assembly. It is further
submitted that four co-accused, namely, Shashikant Kumar @
Pappu Kumar, Ravikant Raj @ Siti Raj, Anikit Kumar @ Vicky



Kumar and Aman Kumar @ Golu Kumar having identical allegation to that of the petitioner have already been granted pre-arrest bail by a Bench of this Court vide order dated 21.02.2018 passed in Cr. Misc. No.10277 of 2018.

On the other hand, learned counsel appearing for the informant vehemently opposed the prayer for grant of pre-arrest bail of the petitioner. He submitted that certain allegations against those four persons, who have been granted pre-arrest bail, were not brought to the notice of the Court. He submitted that the Bench was not apprised that the petitioners of Cr. Misc. No.10277 of 2018 were also armed with deadly weapon and they had also resorted to firing. He submitted that so far as the petitioner is concerned, there is allegation that he had also opened fire. He does not deserve bail as one person was killed and one another critically injured due to firing and two other persons had sustained injury of the butt of the pistol.

I have heard learned counsel for the parties and perused the record.

Regard being had to the gravity of the offence and serious nature of allegation made in the first information report, with due respect to the order passed in Cr. Misc. No.10277 of 2018 by the co-ordinate Bench, I find myself unable to agree with



the view.

The application for grant of pre-arrest bail is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

Md.S./-

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