

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41378 of 2019

Arising Out of P.S. Case No.-421 Year-2014 Thana- BIHTA District- Patna

Sonu Kumar, aged about 30 years, Male, Son of Shambhu Singh Resident of Village-Chulhaichak, P.S.-Rupaspur, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. N.K.Agrawal,
	:	Mr. Amresh Kumar Sinha, Advocate
	:	Ms. Preety Kunwar, Advocate.
For the Opposite Party	:	Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 20-09-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor and perused the case diary.

The petitioner is in custody in connection with Bihta P.S.Case No.421 of 2014 registered for an offence under Sections 394 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that on the date and time of the occurrence, deceased Mantu Kumar with Suraj Kumar and petitioner went to attend a marriage party, riding on a motorcycle but when they reached near an orchard, all the accused persons came on a Bolero vehicle and dragged Mantu Kumar inside the vehicle and on the next day, the dead body of Mantu Kumar was found in a bush near Krishna Public School.

It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case at the hand of his enemies. It is further alleged that there is no eye witness to



the alleged occurrence. It is further submitted that Suraj Kumar (PW-1) who has been examined in this case, has not identified this petitioner. Petitioner is in custody since 25.03.2019 having clean antecedent.

In view of the aforesaid facts, let the above named petitioner 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 learned Additional Sessions Judge-VI, Danapur in connection with Sessions Trial No.112B of 2016 arising out of Bihta P.S.Case No.421 of 2014 with following condition:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

B.Kr./-

(Prabhat Kumar Singh, J)

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