

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67966 of 2019

Arising Out of PS. Case No.-703 Year-2019 Thana- PHULWARISHARIF District- Patna

SONU KUMAR (Male), aged about 21 years, Son of Shiv Kumar Sharma @
Khalifan Sharma, Resident of Village - Bhabhanpura, P.S. - Phulwari Sharif,
District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anuj Kumar, Advocate.
For the Opposite Party : Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 307/34 and 120(B) of the IPC and 27
of the Arms Act.

The prosecution story, in brief, is that while the
informant was going to his *Sasural* and as soon as he reached
near Sunil Kirana Shop, driver of the Motorcycle Sunkeshwar
Kumar, S/O Jagroop Singh and pillion Sonu Kumar, S/O
Khalifan Sharma (petitioner) came near the informant and shot
fire on him causing injury on his neck. He was taken to hospital
for treatment. When the informant was going to park his car
then his Sardhu Vidyanand Singh, sister-in-law Guriya Devi,



wife of Late Shambhu Singh and Villager-Harendra Kumar Singh had given information to the accused persons about the informant. There is dispute of the informant with the aforesaid persons and from the court, order has already been passed against the aforesaid persons for eviction of house. Vidyanand Singh had vacated the house while Guriya Devi had not vacated the house and due to that reason, in criminal conspiracy, such occurrence was taken place.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 08.08.2019. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. As per the F.I.R., driver of Motorcycle Sunkeshwar Kumar, S/O Jagrup Singh and pillion Sonu Kumar (petitioner), S/O Khalifanj Sharma came near the informant and fired upon him causing injury on his neck. Subsequently, a protest-cum-complaint petition has been filed on behalf of the informant where he has alleged that one Sunkeshwar Kumar, S/O Jagrup Singh is said to have fired upon him causing injury on his neck. There is contradiction between the statement of the informant made in the F.I.R. and in the protest-cum-complaint petition made by him in the court below.



In the said circumstances, the prosecution appears to be doubtful.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IXth, Patna, in connection with Phulwari Sharif P.S. Case No. 703 of 2019.

(Sudhir Singh, J)

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