

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.2827 of 2020

Arising Out of PS. Case No.-77 Year-2019 Thana- BEERPUR District- Begusarai

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Sonu Kumar @ Sonu Singh Son of Bablu Singh Resident of Village- Birpur, P.S.- Birpur, District- Begusarai. Petitioner/s

Versus

The State of BiharOpposite Party

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Appearance

For the Petitioner : Mr. Nilesh Kumar, Adv.

For the State : Mr. Sanjay Kumar Tiwary, Adv.

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CORAM : HONOURABLE MR. JUSTICE PARTHA SARTHY

Oral Order

4 27.05.2020

Heard learned counsel for the petitioner and learned APP for the State, through video conferencing.

The petitioner who is in custody since 3.6.2019 has filed the instant application for grant of regular bail in connection with Birpur P.S. Case no. 77 of 2019 registered under sections 364, 302, 201, 387,120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, the father of the informant was kidnapped by four persons on a motorcycle on the point of weapon. It is stated by the informant that one of the witnesses namely Sudhir Tanti took the name of



eight accused persons including this petitioner. It later transpired that he had been shot and killed on opposing the rangdari of Rs. 10 lacs.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has not committed any offence. He has been falsely implicated in the case. It is further submitted that in the same occurrence, a case under the arms act was registered, FIR of which has been brought on record as Annexure 2 to the petition. It is submitted that from perusal of the said FIR it would transpire that the allegation of firing is against Gautam Kumar and Varun Kumar and not the petitioner herein. It is further submitted that besides the case under the Arms Act at Annexure 2 which is for the same occurrence, the petitioner has no criminal antecedent. He is in custody since 3.6.2019 and even accepting the allegation, he is not the assailant.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances as stated herein above, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Birpur P.S. Case no. 77 of 2019 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist, Begusarai.

(Partha Sarthy, J)

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