

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16636 of 2021

Arising Out of PS. Case No.-352 Year-2019 Thana- SAHPUR District- Bhojpur

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Ravi Nandan Sonar, S/o Bikrama Sonar, Resident of Village - Shahpur, P.S. -
Shahpur, District- Bhojpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Varun Kumar
Mr. Rajendra Nath Sinha
Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-10-2021 Heard learned counsel for the parties through virtual
court proceedings.

Petitioner seeks bail in Shahpur P.S. Case No.352 of
2019, registered for the offences punishable under Sections 307,
302, 386 and 34 of the Indian Penal Code as well as under
Sections 25(1-b)a/26/35/27 of the Arms Act.

Allegation against the petitioner is that the petitioner
entered into the shop of the informant with other co-accused
persons and fired on the back of the head of Jyoti Gupta, the
elder brother of the informant and the elder brother of the
informant, namely, Jyoti Gupta died on the spot.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. From perusal of the FIR, it transpires that only allegation against the petitioner is that he allegedly opened fire which hit Jyoti Gupta. As a matter of fact, neither the petitioner was present at the place of occurrence nor participated in the alleged occurrence. It is further submitted that the post-mortem report does not support the allegation levelled against the petitioner. It is also submitted that the petitioner is in custody since 03.01.2020 and the petitioner has got no criminal antecedent as stated in paragraph 3 of the bail petition.

Learned Additional Public Prosecutor opposed the prayer for bail of the petitioner by submitting that there is specific overt act alleged against the petitioner that the petitioner fired on the back of the head of the deceased.

From perusal of the records including the case diary, it appears that there is specific allegation against the petitioner and the post-mortem report also supports the allegation alleged against the petitioner.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.



However, the learned trial court is directed to expedite
the trial.

(Anjani Kumar Sharan, J.)

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