

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31751 of 2021

Arising Out of PS. Case No.-501 Year-2014 Thana- RUNISAIDPUR District- Sitamarhi

SONU KUMAR @ ABHISHEK KUMAR @ SONU SINGH Son of Arun
Kumar Singh @ Arun Singh Resident of Village - Madhaul, P.S. -
Runnisaidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 08-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 307 & 120B/34 of the
Indian Penal Code and Section 27 of the Arms Act.

This is the fourth attempt on behalf of the petitioner
for bail.

Vide order dated 28.07.2021, a report was called for
from the learned Court below regarding the stage of the trial and
the time likely to be taken in conclusion of the trial. In
compliance thereof, a report dated 02.08.2021 has been sent by
the learned A.D.J.-X, Sitamarhi, which is at Flag 'P' to this
application. In his report, the learned Judge has, *inter alia*,



stated that the trial is likely to be concluded within six months.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Several similarly situated co-accused have been enlarged on bail by different co-ordinate Bench of this court. The petitioner has been languishing in custody since 07.12.2017.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid as also the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Runnisaidpur P.S. Case No.501 of 2014, subject to the following conditions :

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any



similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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