

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40487 of 2020

Arising Out of PS. Case No.-850 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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SONU SARRAF SON OF JAYPRAKASH SARRAF RESIDENT OF
VILLAGE - DAMODARPUR, POLICE STATION - KANTI, DISTRICT –
MUZAFFARPUR.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Syed Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-07-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office

vide its notes dated 28.12.2020, within four weeks of starting of

Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Kanti P.S. Case no. 850 of 2019, registered under Sections
399 and 402 of the Indian Penal Code and Section 25(1-b)a, 26
and 35 of the Arms Act.

The accusation is that on receiving information
about gathering of miscreants for committing heinous crime at
the house of Prince Kumar in Mohalla-Rahul Nagar,



Damodarpur, Muzaffarpur, the informant and other Police personnel reached there. On seeing the Police party, 6-7 persons started fleeing from the house, but, on chase, four persons were apprehended, who disclosed their names Aman Kumar Shahi, Prince Kumar, Saurav Kumar @ Bholu Jha and Nitish Raj @ Vicky. On search, Aman Kumar Shahi, Prince Kumar and Nitish Raj were found in possession of one loaded country made pistol, whereas, Nitish Raj was found in possession of knife and two live cartridges. On query, they also disclosed the name of their other three associates as Sonu Sarraf (Petitioner), Raja Kumar and Abhisekh Shahi, who succeeded to flee away.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot nor any incriminating material has been recovered from his possession. Further submission is that the name of petitioner has surfaced in the confessional statements of co-accused Aman Kumar Shahi, Prince Kumar, Saurav Kumar @ Bholu Jha and Nitish Raj @ Vicky, who are said to be apprehended on the spot. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. (West), Muzaffarpur in connection with Kanti P.S. Case No. 850 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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