

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2884 of 2022

Arising Out of PS. Case No.-288 Year-2018 Thana- LALGANJ District- Vaishali

SONU KUMAR SINGH Son of Arun Singh Resident of Village - Kanti,
Police Station - Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 19-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Lalganj P.S. Case No. 288 of 2018 registered for the offences
punishable under Sections 302, 120(B) of the Indian Penal Code
and Section 27 of the Arms Act.

It is alleged in the written report that son of the
informant was shot dead in the medical shop. The informant has
further alleged that he came to know that at the time of
occurrence, co-accused Raju Rai and Mohan Rai besides two
other persons were sitting at the shop, who disclosed that at
about 19:15 hours two persons came at the shop on a



motorcycle and they fired shot on the head and chest of informant's son due to which he fell down and thereafter they fled away on motorcycle. It is alleged that four days prior to the occurrence his son had told him that due to land dispute, one Munna Pandey had given him threat to pay rupees five lacs, otherwise he would be killed.

Learned counsel for the petitioner submits that petitioner is in custody since 22.03.2021 and bears criminal antecedent of four cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Petitioner is not named in the FIR and his name has been sprang up upon the self confessional statement recorded in Mahua P.S. Case No. 157 of 2019. Learned counsel for the petitioner by referring para-2 of the impugned order submits that in the impugned order it has been mentioned that during investigation police arrested the petitioner who confessed his involvement in the murder of deceased and stated that on 03.09.2018 he along with co-accused Ajeet Rai @ Chhotu and Rajul Jha shot dead informant's son at medical shop. He further submits that no incriminating article has been recovered from conscious possession of the petitioner. Petitioner has surrendered in Lalganj P.S. Case No. 118 of 2017 under Section



302/34 of the IPC, as mentioned in the impugned order. Co-accused Munna Pandey @ Ved Prakash Pandey, who was named in the FIR, has already been granted bail by the co-ordinate Bench of this court vide Cr. Misc. No. 18809 of 2019 and the case of present petitioner stands on better footing. Except self confessional statement of petitioner, no material is available on record to rope the present petitioner in the alleged occurrence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-9, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 288 of 2018, subject to following conditions:-

(i) One of the bailors of the petitioner shall be either his father or his wife.

(ii) Petitioner will co-operate in trial and will



remain present on all dates till disposal of the case and his absence without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

