

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4144 of 2022

Arising Out of PS. Case No.-185 Year-2019 Thana- ATHMALGOLA District- Patna

Sonu Kumar@Golu Kumar Son Of Late Ram Sanoj Singh @ Sanoj Singh
Resident Of Village- Achuara, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar (Advocate)
		Mr. Rajeev Ranjan No. II (Advocate)
		Ms. Anjana Gupta (Advocate)
For the Opposite Party/s :		Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 05-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Athmalgola P.S. Case No. 185 of 2019, registered for the

offences punishable under Sections 143, 341, 342, 323, 307

and 302 of the Indian Penal Code.

The prosecution case as emerging from the FIR is

that one Golu Ram was injured by a vehicle, being driven in

a reckless manner. When this was protested, Suraj Kumar

and Ankul Kumar were said to have assaulted Golu Ram,

which led to his death.

The learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. He further submits that allegation of injury is not supported by post-mortem report. He also submits that there is no direct allegation of causing injury to the deceased and one co-accused person, namely, Ravi Kumar has already been enlarged on anticipatory bail by a co-ordinate Bench of this Court. He further submits that even those co-accused persons who were facing allegation of causing injury, resulting into death, have already been enlarged on bail by different Benches of this Court, vide orders dated 21.12.2020, 01.04.2022 and 07.04.2022 passed in Cr. Misc. No. 28307 of 2020, Cr. Misc No. 33471 of 2021, Cr. Misc No. 36108 of 2020 and Cr. Misc No. 34028 of 2021., respectively.

The petitioner has been languishing in jail since 21.12.2020.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that



the petitioner has no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. S.D.JM, Barh, District- Patna in connection with Athmalgola P.S. Case No. 185 of 2019 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police



officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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