

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16460 of 2021**

Arising Out of PS. Case No.-94 Year-2020 Thana- BAKHTIYARPUR District- Patna

SONU KUMAR @ SONU YADAV SON OF SRI YOGI RAI @
YOGENDRA RAI RESIDENT OF VILLAGE- RAGHOPUR, P.S-
BAKHTIYARPUR, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 11-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 16.10.2020,
seeks bail in connection with Bakhtiyarpur P.S. Case No. 94 of
2020, registered under Sections 147, 148, 149, 326, 307 and
120(B) of the Indian Penal Code and Section 27 of the Arms Act

The prosecution case, in brief, is that while the
informant along with his brother was sitting at the door of his
house, all the accused persons, named in the F.I.R, including the
petitioner, having armed with pistol came there and started
firing. In course of firing, Sabal Yadav, brother of the informant,



sustained fire arm injury in his neck.

Learned counsel appearing on behalf of the petitioner submits that no specific overt act has been attributed against the petitioner. He further submits that similarly situated co-accused Suraj Ray @ Suraj Yadav and Karu Ray @ Karu Yadav have already been released on bail vide order dated 23.11.2020 passed in Criminal Miscellaneous No. 30853 of 2020.

Learned A.P.P. for the State has opposed the prayer for bail. She further submits that in absence of injury report, the allegation of overt act cannot be attributed to the present petitioner.

Having considered the facts and circumstances of the case, rival submissions, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Chief Judicial Magistrate, Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 94 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

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

