

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15560 of 2022

Arising Out of PS. Case No.-327 Year-2020 Thana- PATNA CITY CHOWK District- Patna

SONU KUMAR @ SONU SHARMA @ DHILLU SHARMA S/o Ashok
Sharma R/o Bhadra Ghat, P.S.- Alam Ganj, Sampatchak, District- Patna,
Bihar- 800007.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Kumar Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-08-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Chowk P.S. Case No. 327 of 2020 for the offences under
Sections 302/34 of the Indian Penal Code.

The allegation in the FIR is that the informant alleged
that when her husband was going to his shop on motorcycle,
some accused persons riding motorcycle came and shot him
causing his death. She further alleged that due to payment
relating to sale/ purchase of the land, her husband had issue
with Ashok Yadav which led to the killing.



In this case, case diary was called for on 11.07.2022.

Learned counsel for the petitioner submitted that his name has come on the basis of the confessional statement of co-accused Vikky Kumar @ Tiktik. He further submitted that some other co-accused persons have been granted the privilege of bail and as such he also deserves the same.

On the other hand, learned counsel for the State submitted that a bare perusal of the report shows that the petitioner is named in 19 criminal cases which are as follows:-

1. Hatidah P.S. Case No. 44 of 2019 under Section 392 of the Indian Penal Code.
2. Agamkuan P.S. Case No. 09 of 2020 under Section 392 of the Indian Penal Code.
3. Agamkuan P.S. Case No. 474 of 2014 under Section 356 and 379 of the Indian Penal Code.
4. Agamkuan P.S. Case No. 479 of 2014 under Section 356 and 379 of the Indian Penal Code.
5. Phulwarisharif (Janipur) P.S. Case No. 211 of 2016 under Section 395 and 412 of the Indian Penal Code.
6. Phulwarisharif P.S. Case No. 210 of 2016 under Section 395 of the Indian Penal Code.
7. Harnaut (Nalanda) P.S. Case No. 228 of 2019 under Section 392 of the Indian Penal Code.
8. Malsalami P.S. Case No. 157 of 2016 under Sections 417, 473 and 414 of the Indian Penal Code.
9. Jakkanpur P.S. Case No. 486 of 2014 under Section 379 of the Indian Penal Code.



10. Alamganj P.S. Case No. 460 of 2014 under Section 411 and 414 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

11. Alamganj P.S. Case No. 453 of 2014 under Section 379 of the Indian Penal Code.

12. Ramkrishna Nagar P.S. Case No. 241 of 2014 under Section 392 of the Indian Penal Code.

13. Ramkrishna Nagar P.S. Case No. 215 of 2014 under Section 392 of the Indian Penal Code.

14. Ramkrishna Nagar P.S. Case No. 238 of 2014 under Section 379 of the Indian Penal Code.

15. Kadamkuan P.S. Case No. 552 of 2014 under Section 392 of the Indian Penal Code.

16. Kadamkuan P.S. Case No. 538 of 2014 under Section 392 of the Indian Penal Code.

17. Kadamkuan P.S. Case No. 560 of 2014 under Section 392 of the Indian Penal Code.

18. Pirbahore P.S. Case No. 14 of 2015 under Section 188 of the Indian Penal Code and Section 52 of the Prisoners Act.

19. Patrakar Nagar P.S. Case No. 329 of 2014 under Section 392 of the Indian Penal Code.

He as such submitted that considering the different FIRs lodged against him in the District of Patna which show the kind of criminal mentality he has and in that background, the confession made by the co-accused Vikky Kumar @ Tiktik in the case diary stating this petitioner to be an accomplice cannot



be ignored.

Taking into account the aforesaid facts as also the criminal antecedents of the petitioner, this Court is not inclined to grant him the privilege of bail which is accordingly rejected.

Additionally, let the copy be sent to the Senior Superintendent of Police, Patna for perusal of the order and the fact that this petitioner has 19 criminal cases under his belt in the same district, for taking appropriate steps.

(Rajiv Roy, J)

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