

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32468 of 2021

Arising Out of PS. Case No.-3 Year-2018 Thana- SAMHO District- Begusarai

SONU KUMAR @ SONU SINGH Son of Ashok Singh Resident of Village -
Nandpur, P.S. - Surajgarha, District - Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Kumar Singh, Adv

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 28-02-2022 Let the defects, as pointed out by the office, be removed 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.

The petitioner seeks bail in connection with Samho P.S.Case No.03 of 2018 registered for the offence under Sections 302 and 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in brief, is that one Bablu Paswan lodged an FIR that on 25.01.2020 at around 10.00 A.M. his father since deceased Banarsi Paswan went to look after his field. After one hour, he came to know that his father was killed by the named accused persons.



Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons named in the FIR. He further submits that due to land dispute, the name of the petitioner has falsely been implicated in the present case. He further submits that there is no eye witness of the alleged occurrence and the police, after investigation, submitted chargesheet against the petitioner. He further submits that co-accused, namely, Nilesh Singh has been granted bail vide order dated 17.09.2018 in Cr. Misc. No.46629 of 2018, co-accused, namely, Munna Singh @ Munna Choudhary has been granted bail vide order dated 23.07.2019 in Cr. Misc. No.44913 of 2019 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 20.01.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge



SC/ST (POA) Act, Begusarai in connection with Samho
P.S.Case No.03 of 2018 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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