

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42866 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- BIKRAM District- Patna

SONU KUMAR @ KALYAN JEE Son of Late Chandeshwar Singh Resident
of Village- Kukri Bigha, Police Station- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-04-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the
offences under Sections 307, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 08.03.2021, he is a person with clean
antecedent, charge-sheet has been submitted.

The learned counsel for the petitioner submits that the
informant alleges that petitioner who happens to be his partner in a
proposed business of manufacturing of carry bag called the
informant on 29.02.2020 and asked him for going to Dulhin Bazar,
it is thereafter alleged that the petitioner fired at the chest of the
informant and fled away, it is further alleged that the occurrence
took place as the petitioner had illegally withdrawn an amount of Rs.
10 lakhs from the account of the informant and was not ready to



return the same.

The learned counsel for the petitioner submits that the date of occurrence is 29.02.2020 and the fardbeyan of the informant was recorded on 08.03.2020 and thereafter FIR came to be registered on 08.03.2020 itself. The learned counsel submits that delay of eight days in instituting the FIR without any plausible explanation creates suspicion with regard to the authenticity of the allegation as alleged in the FIR.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact the petitioner is in custody since 08.03.2021, he is a person with clean antecedent, charge-sheet has been submitted and there is an inordinate delay in instituting the FIR, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bikram P.S. Case No. 98 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

sanjeev/-

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

