

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38720 of 2022

Arising Out of PS. Case No.-106 Year-2021 Thana- CHARPOKHARI District- Bhojpur

SONU KUMAR YADAV @ SONU KUMAR Son of Lal Bihari Singh
Resident of Village - Semraon, P.S.- Charpokhari, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-09-2022 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 Charpokhari P.S. Case No. 106 of 2021 for
the offences under Sections 324, 307/34 of the Indian Penal
Code and Section 27 of the Arms Act later on Section 302
IPC had been added.

As per the prosecution story, a ‘baraat’ had come
and a dance programme was going on when the accused
persons including Ravi Kumar, Vikas Yadav and some
others came there and started creating nuisance. On the
objection, Vikas Yadav and Ravi Kumar opened fire causing



death of a child and serious injury to the other child. Subsequently, the villagers caught hold of Vikas Yadav and assaulted him. The police later took him under custody.

Learned counsel for the petitioner submits that direct allegation is against Vikas Yadav and Guddu Kumar of opening fire. Name of this petitioner has come during the course of investigation by the villagers. But, only his presence has been shown.

Considering the fact that the specific allegation is against Guddu Kumar and Vikas Yadav of opening fire causing death and injury to the children. The petitioner is in custody since 22.2.2022, no T.I. parade has been done, charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail after framing of the charges with conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned 1st Class Judicial Magistrate, Bhojpur at Ara in connection Charpokhari P.S. Case No. 106 of 2021 with subject to the following conditions:-



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall leave his/her district (Bhojpur) for a period of two months(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (where he/she will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be



at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

Ajay
Singh/Ravi-

(Rajiv Roy, J)

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