

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49641 of 2021**

Arising Out of PS. Case No.-145 Year-2020 Thana- NOKHA District- Rohtas

Sonu Nut @ Sonu Nat Son of Bikarama Nut Resident of Village- Bhikhari
Dih, P.S.- Nokha (Dharmapura), District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

5 09-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Section 307 of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, the allegation against the petitioner is that on 16.07.2020 he fired upon the brother of the informant with country made pistol (katta) whereby the injured received gun shot head injury.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. He further submits that in fact the informant is the full brother of the petitioner and the present case has been filed only due to land dispute. He further submits that the informant has filed a petition before the Court of learned District and Sessions Judge, Rohtas at Sasaram stating therein that the petitioner has not fired upon the informant. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 08.03.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Nokha (Dharampura) P.S. Case No. 145 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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