

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50986 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- BELDOUR District- Khagaria

SONU SAH S/o LATE RANVIR SAH R/o VILLAGE-FULWARIYA, P.S-
BELDAUR, DISTRICT-KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Singh, Advocate
		Mr. Siddhartha Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2022 Heard Mr. Abhay Kumar Singh, learned counsel for the petitioner and Mr. Siddhartha Kumar Singh, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Beldaur P.S. Case No. 52/2021 registered for the offences punishable under Sections 307, 120-B of the Indian Penal Code 1860 and Section 27 of the Arms Act.

The allegation, as per the First Information Report, is that the Police got secret information that accused persons of Beldaur P.S. Case No. 35/2021 along with other accused persons have assembled near the Harlakhi, proceeded towards the place of occurrence and saw that some accused persons were sitting in



the Tent and a Motorcycle and one Alto Car belonging to the accused persons were standing near the tent. It has further been alleged that when the Police called the accused persons to surrender, they started indiscriminate firing upon the Police party. The petitioner along with other accused persons have been identified by the Police party and two empty cartridges, a Motorcycle and one Alto Car have been recovered from the place of occurrence.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he is not an accused in Beldaur P.S. Case No. 35/2021 which would be evident from the First Information Report of the said case annexed as Annexure-2 to this application. He further submits that from perusal of the First Information Report, it would be evident that the allegation of indiscriminate firing upon the Police Party, is on 6-7 accused persons, but only two empty cartridges have been recovered from the place of occurrence. He next submits that nobody has received injury due to the alleged indiscriminate firing made by the accused persons. The petitioner is in custody since 1.4.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the



parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 1.4.2021, nobody has received injury, two empty cartridges have been recovered from the place of occurrence, there is allegation of firing upon 6-7 accused persons and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.40,000/- (Forty thousand) with two sureties of the like amount each to the satisfaction of Ms. Pallavi Anand, learned Judicial Magistrate, Khagaria, in connection with Beldaur P.S. Case No. 52 of 2021 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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