

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46722 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- AGION (GARHANI) District- Bhojpur

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

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-11-2022 Heard the learned counsel for the petitioner

and the learned APP for the State.

The petitioner seeks bail in connection with

Agiaon (Garhani) P.S. Case No. 05 of 2022 instituted for

the offences under Sections 302/34 of the Indian Penal

Code.

The petitioner is not named in the F.I.R. which

has been lodged by the brother of the deceased.

The brother of the deceased has alleged in the

F.I.R. that when he reached the place of occurrence, he

saw the deceased lying injured in a pool of blood and also

spotted three persons fleeing in different directions.



However, shortly thereafter he has named the afore-noted three persons in his further statement, which includes the name of the petitioner as well.

The learned counsel for the petitioner has submitted that if the informant had seen the petitioner as one of the miscreants running away from the place of the occurrence, he should have named him in the first instance. Naming the petitioner in his further statement, makes the veracity of the statement of the informant highly suspect. It has further been submitted that because of some dispute which had occurred during the staging of an orchestra show, there was some altercation between two groups and the informant has chosen to implicate the petitioner and others from the opposite camp.

Considering the afore-noted arguments and taking into account the period of custody of the petitioner, which is from 02.03.2022 and that in other cases in which the petitioner was earlier made accused and which have been listed in paragraph -3 of the bail petition, he has



been granted bail, this Court directs for release of the petitioner on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Agiaon (Garhani) P.S. Case No. 05 of 2022.

(Ashutosh Kumar, J)

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