

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.66957 of 2021**

Arising Out of PS. Case No.-55 Year-2021 Thana- BEERPUR District- Begusarai

Sonu Kumar Sohan, Son of Bablu Singh, Resident of Village - Birpur (West),
ward No. -8, P.S. - Birpur, District - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajit Kumar, Adv.

For the Opposite Party/s: Mr.Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 13-05-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.Md. Mushtaque Alam, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Birpur P.S. Case No.55 of 2021 registered for the offences punishable under Sections 341, 323, 325, 385 and 307/34 of the Indian Penal Code. He is in custody since 04.07.2021. The petitioner has got two criminal antecedents and on query made by this Court, learned counsel for the petitioner submits that the petitioner is on bail in both the cases.

As per the prosecution story, this petitioner and co-accused Rajnish Kumar asked the informant to stop the tractor near the house of Md. Israil and started abusing him. It is alleged



that they asked the informant that if he would contest the ward election then he would have to pay one lacs rupees. The informant claims that he protested against the said demand whereupon all the accused persons assaulted him by the tractor's hydrolic pipe.

Learned counsel for the petitioner submits that it is a case of false implication against the petitioner only with an intention to debar him from contesting the panchayat election. The allegations are general and omnibus and the injury allegedly suffered by the informant is simple in nature.

Learned counsel further submits that in connection with the present case the petitioner has remained in custody for more than ten months, investigation against him is complete, the FIR itself was lodged with a delay of 19 hours even as the police station is situated only at a distance of two kilometres and the presence of the petitioner may be secured in course of trial.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submissions that it is a case of false implication against the petitioner only with an intention to debar him from contesting the panchayat election, the allegations are general and omnibus and the injury allegedly suffered by the informant is simple in nature, further that in connection with the present case the petitioner has remained in custody for more than



ten months, investigation against him is complete, the FIR itself was lodged with a delay of 19 hours even as the police station is situated only at a distance of two kilometres and the presence of the petitioner may be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Smt. Meena Kumari, Sub-Judge-V, Begusarai in connection with Birpur P.S. Case No.55 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

