

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67665 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- RAMKRISHNANAGAR District- Patna

Sonu Kumar Sayana Son Of Arun Kumar Yadav Resident of Village- Nandlal Chapra, P.S.- Ramkrishnanagar, (Nandlal Chapra), Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rudal Singh, Advocate

For the Opposite Party/s : Mr.Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-05-2022

Heard counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within a period of four weeks.

The petitioner is in custody in connection with
Ramkrishna Nagar P.S. Case No. 21 of 2021 registered under
sections 341, 342, 323 and 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The allegation in the FIR is that accused Nitish
Kumar, Raja Kumar, Shubham Kumar and Raju Kumar along
with unknown persons shot at on the chest of the informant. He
was injured and taken into hospital for treatment.

Later on, on the basis of CCTV footage, the name of
the petitioner came up and is in jail since 10.7.2021 (as stated in
para-16 of the bail application).



The counsel for the petitioner submits that specific allegations have been made against Nitish Kumar, Raja Kumar and Shubham Kumar of firing shot on the chest of the informant. So far as the CCTV footage is concerned, he submits that he had gone out to purchase medicine for his mother. In any case, CCTV footage does not show any overt act by him. He further submits that the petitioner does not have any criminal antecedent. He further submits that named accused have since been granted bail by different coordinate benches or this Court which has been made part of the bail application.

Considering the fact that no overt act has been attributed to him, he does not have any criminal antecedent, charge-sheet has already been submitted and he is in jail since 10.7.2021; this Court is inclined to grant him the privilege of bail.

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 Sub-Judge-XIIIth, Patna, in connection with Ramkrishna Nagar P.S. Case No. 21 of 2021 (G.R. No. 404/2021) subject to the following conditions;-

(i) one of the bailors should be the family members



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 reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, 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.

(Rajiv Roy, J)

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