

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.395 of 2022

Arising Out of PS. Case No.-127 Year-2017 Thana- ASARGANJ District- Munger

SONU SAH @ SUTAR @ SHUTAR SAH @ GOVIND SAH Son of Anil
Sah Resident of Village- Bahadurpur, P.S.- Bariyarpur, District- Munger.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R., this petitioner alongwith co-accused Pravesh Kumar, Awadhesh Kumar and Anoj Yadav disappeared the wife of the informant and thereafter, it is alleged that on the order of other co-accused persons, co-accused Pravesh Kumar shot dead wife of the informant.

It is submitted on behalf of petitioner that as per F.I.R. itself, informant is not the eye-witness of the occurrence and only on suspicion, petitioner and others have been made accused. In fact, the petitioner was in custody at the time of alleged occurrence. There is no specific allegation of overt act against this petitioner and he is in custody since 16.04.2018



after remand from Bariyarpur P.S. Case No. 37 of 2016, as per statement made in paragraph – 1 of the bail petition.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned District and Sessions Judge, Munger in connection with Sessions Case No. 108 of 2021, arising out of Asarganj P.S. Case No. 127 of 2017.

(Prabhat Kumar Singh, J)

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