

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10860 of 2023

Arising Out of PS. Case No.-476 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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SONU KUMAR @ SONU KUMAR DAS @ SONU KUMAR THAKUR
Son of Santosh Das Resident of village - Ward No.- 9 Chhatauna, P.S.-
Samastipur Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP.

Mr. Ajay Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 323, 324, 326,
307, 379/34, 120B of the Indian Penal Code.

Allegedly, under conspiracy, petitioner along with one co-
accused Chandan Kumar brought the informant on his
motorcycle at Chhatauna Bandh where informant went to attend
the call of nature towards the Bandh. In the meantime, some
accused persons came there and took away mobile phone and
cash Rs. 1,20,000/- from the possession of the informant. On
objection, they caught the informant and cut his genital organ



and his neck and when he started gagging, the accused persons fled away from there.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to village politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no cogent evidence to connect the petitioner with the alleged crime. It is further submitted that as a matter of fact that petitioner's family belong to poor family. There is some dispute regarding minimum wages between the parties and due to that annoyance, the name of the petitioner has been dragged in this case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State and learned counsel for the informant opposed the prayer for bail and submitted that petitioner was also involved in this case.

Considering the facts and circumstances of the case and nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail,



the learned Court below shall pass order in accordance with law
without being prejudiced by this order on the very date of
surrender.

(Anjani Kumar Sharan, J)

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