

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14052 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- PATNA CITY CHOWK District- Patna

SONU PATEL @ SONU GANJAWALA @ SONU GANJA BALE Son of
Late Sunil Prasad R/o Mangal Talab Domkhana, P.S.- Chowk, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 120(b), 386/34 of the Indian Penal Code & 27 of the Arms Act.

As per prosecution case, when the informant and owner of the Til Oil Facotry namely, Promod Kumar Bagla went his factory, in the meantime, co-accused persons along with two unknown persons also came and demanded extortion money. It is further alleged that the co-accused persons opened fire upon them as a result of which Promod Kumar Bagla sustained injury and later on he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. From perusal of FIR, no specific allegation of shot fire upon the deceased is against the petitioner. The petitioner is not named in FIR rather his name has been transpired in this case on the basis of confession made by co-accused namely, Monu Kumar before the police, which has got no evidentiary value in the eye of law. Moreover, similarly situated co-accused namely, Dhiraj Kumar has already been granted bail by a co-ordinate Bench of this Court vide order 7.2.2023 passed in Cr. Misc. No. 59949 of 2022. Except confessional statement, no any consistent evidence has come against the petitioner during investigation. It is further submitted that the petitioner is languishing in judicial custody since 9.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chauk P.S. Case No. 149 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional District and Sessions Judge-IV Patna City.

(Sunil Kumar Panwar, J)

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