

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33343 of 2023

Arising Out of PS. Case No.-89 Year-2019 Thana- GAYA KOTWALI District- Gaya

DEEPAK SONAR @ DEEPAK KUMAR Son of Sri Arun Prasad Resident of
Mohalla - Pawai, P.S.- Muffasil, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Kotwali P.S. Case No.89 of 2019 instituted under Sections 307, 387, 34 of the IPC and Section 27 of the Arms Act lodged on 27.02.2019 by the informant Rohit Kumar Barnawal.

As per the FIR, when the informant was going towards Chandra Shekhar College and due to non availability of work, was returning towards his house. Meanwhile, at about 09:30 AM, as he reached near Anandi Maa Mandir, four persons on two motorcycle surrounded him and asked him to pay the ransom amount of Rs. 100000/-. It is further alleged that the informant recognized three of the four persons as (1) Deepak Sonar, (2) Sudhanshu, (3) Bikku. It is further alleged that the abovesaid Deepak Sonar pointed a pistol towards the informant



and asked him to pay Rs. 100000/- and Sudhanshu caught hold the neck of the informant and started assaulting him. It is further alleged that thereafter Deepak Sonar opened fire upon the informant which hit him on the right side of waist. Accordingly, the FIR.

Learned counsel for the petitioner submits that he had nothing to do with the incident nor was present at the place of occurrence and as he was having monetary dispute has been falsely implicated in this case.

Learned APP opposed the prayer stating that there is specific allegation against him who opening fire which cause injury to the informant on his thigh.

Taking into account his period of custody i.e. 26.04.2019 (as stated in para-9 of the petition) and charge sheet having been submitted ultimately will have to face the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No.89 of 2019 to the satisfaction of learned Additional District & Sessions Judge, IIIrd, Gaya, subject to following conditions:



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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