

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36660 of 2023

Arising Out of PS. Case No.-536 Year-2022 Thana- ARA NAGAR District- Bhojpur

SONU KUMAR @ ANIKET KUMAR S/O RAJESH PRASAD R/O Vill.
Gangi Gausganj, PS. Ara Town, Dist. Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Section 147, 148, 149, 302, 307, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, on 15.06.2022 the allegation against the petitioner along with other co-accused is of assaulting the informant's Fufa. Further, on 16.06.2022, all the accused persons again assaulted the informant and his Mama. On being objected, Khatai Yadav fired on the informant's mama which hit on his chest. Thereafter, the informant's mama was taken to hospital where he was declared dead.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Khatai Yadav, which has got no evidentiary value in the eyes of law. There is general and omnibus allegation against the petitioner rather the specific allegation of firing is against co-accused Khatai Yadav. There is no specific overt act against the petitioner. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 23.05.2023 passed in Cr. Misc. No. 23901 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 21.11.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Court concerned in connection with
Ara Nagar P.S. Case No. 536 of 2022.

(Sunil Kumar Panwar, J)

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