

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.40952 of 2023

Arising Out of PS. Case No.-77 Year-2021 Thana- CHAORI District- Bhojpur

SONU KUMAR @ SONU SINGH @ CHHAKWA S/O- RAMJI SINGH
Village- Dilia PS- Chaunri Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-07-2023 The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Session Trial No. 299 of 2021, arising out of Chauri P.S. Case No. 77 of 2021, for the offences registered under Sections 302/34 of the Indian Penal Code inasmuch as the earlier petition filed by the petitioner for grant of regular bail was dismissed by this Court vide order dated 02.01.2023 passed in Criminal Misc. No. 34653 of 2022.

The case of the prosecution, in brief, according to the informant, namely, Dharmendra Singh, is that he along with his nephew had left their home on a motorcycle on 10.7.2021 at about 5:00 p.m. and one boy, namely, Ram Babu Singh, had also accompanied them and when they had reached near Bhikhampur market, the accused persons including the petitioner herein had arrived



there on their motorcycle and an altercation had taken place, however, they had fled away from the place of occurrence after sometime. It is further alleged that when the informant along with his nephew, namely, Pawan Kumar and one another boy, namely, Ram Babu Singh, had proceeded further and had reached in between Diliya Lakh and Berath Bridge, the aforesaid accused persons including the petitioner herein had again arrived there on their motorcycle and had stopped the informant, whereafter, they had taken out their knives and had assaulted the nephew of the informant, namely, Pawan Kumar, repeatedly, resulting in his death on the spot, however, the informant and the other person, namely, Ram Babu Singh, had managed to escape.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 22.10.2021, hence he be granted the privilege of bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail and



has submitted that the petitioner along with the other two co-accused persons had given repeated blows by knife on the neck and head of the deceased and the inquest report also shows that the deceased has received knife blow on various parts on his person, which is also corroborated by the postmortem report. Hence, it is submitted that prima facie, ample materials are available on record so as to connect the petitioner with the alleged crime.

I have heard the learned counsel for the parties and gone through the materials available on record from which it is apparent that prima facie the petitioner is stated to have committed the gruesome murder of the deceased apart from the fact that there is no change in circumstance so as to warrant reconsideration of the prayer for grant of regular bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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