

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41219 of 2022**

Arising Out of PS. Case No.-888 Year-2021 Thana- SASARAM NAGAR District- Rohtas

JAGAN SONKAR @ JAGAN KHATIK @ BABU KHATIK S/O LATE
LAKHAN SONKAR @ LATE LAKHAN KHATIK Resident of Mohalla.-
Sagar, P.S.- Sasaram Town, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh

For the Opposite Party/s : Mr.Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 25-01-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Sasaram Town P.S. Case No. 888 of 2021 registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution case, petitioner and two
unknown persons shot dead the informant's brother.

Learned counsel for the petitioner submits that
petitioner is in custody since 09.11.2021. Petitioner bears four
criminal antecedent in which he is on bail. Learned counsel



further submits that the petitioner is quite innocent and has committed no offence as alleged in the F.I.R. There is no eye witness to the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner by referring para 6 of the case diary in which it is mentioned that petitioner has taken out the pistol from his pocket and fired upon the temple region of the informant's brother due to which he died and postmortem report also shows that the death was caused by fire arm injury.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report and materials available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.

However, if the trial is not concluded within six months from the date of receipt of this order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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