

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73930 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- KATIHAR MUFFASIL District- Katihar

Sonu Kumar Gupta @ Sonu Gupta S/O Uday Prasad Gupta Resident Of
Village- Goshala, P.S.- Muffasil, District- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Narayan

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-04-2023 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 and 34 of the Indian Penal Code and 27 of the Arms Act.

As per prosecution case, informant alleged that co-accused called her husband but he did not return by late night after that she got information that dead body due to bullet injuries of her husband lying near Shiv Mandir. It is further alleged that when informant along with deceased was going to a shop then co-accused persons along with this petitioner was planning to fire bullet in such a manner that nobody would



know it. After that this FIR has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused Vimal Thakur. Petitioner has no concern either with the place of occurrence or the co-accused person, even investigation does not show any link of this petitioner with the allegation. Nothing incriminating article has been recovered from the conscious possession or property of the petitioner and not a single independent eye witness supported the prosecution version. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 19.07.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Katihar Muffasil P.S. Case No. 105 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 Sessions Judge-II, Katihar.

(Sunil Kumar Panwar, J)

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