

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5326 of 2023

Arising Out of PS. Case No.-309 Year-2021 Thana- BARHIYA District- Lakhisarai

SONU KUMAR @ SONU SINGH Son of Sanjeev Kumar @ Buda Singh
Resident of Village- Jakhaor, P.S.- Bairupur, District- Lakhisarai

... .. 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.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 302, 307, 120B and 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

As per the prosecution case, it is stated that the informant received information about the accused persons having shot and injured both Samarjeet Kumar and Pinku Kumar and in the said occurrence Samarjeet Kumar died. The informant further states that he is convinced that the three



named accused persons including the petitioner herein have a hand in the occurrence.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. From perusal of the statement of the injured Pinku Kumar recorded during course of investigation, although he named the petitioner but there is no specific overt act of shot fire against this petitioner. Only, on the basis of suspicion, petitioner has implicated in the present case. He further submitted that the other co-accused namely, Pankaj Kumar has already been granted bail by a Co-ordinate Bench vide order dated 11.01.2023 passed in Cr. Misc. No. 17821 of 2022 and the case of this petitioner stands on similar footing. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 11.09.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 C.J.M.,
Lakhisarai in connection with Barhiya P.S. Case No. 309 of
2021.

(Sunil Kumar Panwar, J)

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