

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3933 of 2024

Arising Out of PS. Case No.-327 Year-2020 Thana- PATNA CITY CHOWK District- Patna

SONU KUMAR @ SONU SHARMA @ DHILLU SHARMA @ SONU
KUMAR SHARMA S/O ASHOK SHARMA @ ASHOK KUMAR SHARMA
R/O BHADRGHAT, P.S- ALAMGANJ, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-01-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Chowk P.S. Case No. 327 of 2020 for the offences under sections 302/34 of the Indian Penal Code and section 27 of Arms Act lodged on 05.10.2020 by the informant, Jyoti Devi.

3. As per the prosecution story, the informant alleged that when her husband was going to his shop on motorcycle, some accused persons riding motorcycle came and shot him causing his death. She further alleged that due to payment relating to sale/ purchase of the land, her husband had issue with Ashok Yadav which led to the killing. Accordingly, the FIR.

4. Earlier the bail application of the petitioner was



rejected and while rejecting the petition on 01.08.2022 in Cr. Misc. No. 15560 of 2022, the Senior Superintendent of Police, Patna was also requested to look into the matter and do the needful as there were 19 criminal cases pending against him. The last two paragraphs of the order read as follows:

“Taking into account the aforesaid facts as also the criminal antecedents of the petitioner, this Court is not inclined to grant him the privilege of bail which is accordingly rejected.

Additionally, let the copy be sent to the Senior Superintendent of Police, Patna for perusal of the order and the fact that this petitioner has 19 criminal cases under his belt in the same district, for taking appropriate steps.”

5. It seems that despite informing the S.S.P., Patna, no step was taken by him/his office which resulted into the petitioner absconding from the custody on 15.06.2023 but was finally nabbed on 26.09.2023. Two criminal cases again came to lodged against him vide Alamganj P.S. Case No. 726/23 under sections 399, 402, 411, 413, 414, 465, 467, 468, 471 of the IPC and section 25(1-b)a/26/35 of Arms Act and Pirbahor P.S. Case No. 440 of 2023 under sections 224/34 of the IPC.

6. Clearly, if steps have been taken by the S.S.P.,



Patna in time, two fresh cases could have been avoided.

7. Let a fresh copy of this order be again sent to the
S.S.P., Patna for his perusal and necessary action as he deem fit
and proper in the case.

8. The bail application stands rejected.

(Rajiv Roy, J)

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