

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9536 of 2024

Arising Out of PS. Case No.-408 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Sonu Kumar @ Sonu Kumar Sharma S/O Umesh Sharma Village- Dhoboli,
Ps.- Lakho O.P., Dist. Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 Heard Mr. Akash Kumar Mishra, learned counsel
for the petitioner and Mr. Shailendra Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 408 of 2023, F.I.R. dated 15.07.2023 for the offences punishable under Sections 143, 448, 385, 379, 307 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, this petitioner along with other two accused persons have entered into the house of the informant and started firing indiscriminately.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the entire dispute was between the co-accused, Piyush Pandit and the informant's husband and the petitioner has no concern at all with the present occurrence. He further submits that from perusal of the F.I.R it appears that there is general and omnibus allegation against all the accused persons including the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with



Muffasil P.S. Case No. 408 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

