

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35374 of 2024

Arising Out of PS. Case No.-97 Year-2023 Thana- LACHHUAR District- Jamui

Sonu Kumar S/o Ram Awtar Mahto R/o vill - Abhaypur, P.S. - Jamui, Distt. -
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K Lal, Advocate
		Mr. Umesh Prasad, Advocate
For the Opposite Party/s :		Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with Lachhuar P.S Case No. 97 of 2023 from the Court of learned C.J.M, Jamui registered for the offences punishable under Sections 341, 323, 379, 307, 504, 506/34 of the I.P.C and 27 of the Arms Act and later on charge-sheet was submitted under Section 302, 120(B)/34 of I.P.C and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is alleged the petitioner along with co-accused have fired bullet on Raja Kumar thereafter he succumbed to his injury.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. It is also submitted that petitioner is in judicial custody since 27.10.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner and he submits that the petitioner is in direct involvement for commission of the murder of the deceased.

6. On perusal of the FIR, Case diary, postmortem report and impugned order dated 25.04.2024 it appears that from 01.10.2023 to 28.10.2023 total 71 calls were made between mobile number of Laxmi Kumari and Amit Thakur. Further the analysis of the C.D.R of co-accused Amit Kumar, Sonu Kumar (petitioner) and Chhotu kumar @ Namdev showed that all were in constant touch with each other near the day of occurrence. It also appears that on 23.10.2023 and 24.10.2023 petitioner and co-accused Chhotu Kumar talked with deceased Raja Kumar on his mobile number and from perusal of the statement of the injured Raja Kumar reveals that he has received mobile call on 23.10.2023 and 24.10.2023 by the culprit and he has also



identified by photograph, to co-accused Chotu Kumar as the person who shot fired and the petitioner who was driving the Yamaha Bike and there is complicity of the petitioner for commission of the murder of the deceased.

7. Considering the aforesaid facts and circumstance of this case, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Mayank/-

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

