

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35699 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- NAYAGAON District- Saran

Sonu Kumar S/o Ram Bhawan Sharma R/o vill - Manpur, P.s. - Dariyapur,
Distt. - Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Ms.Dr. Indihar Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 18-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted for the offence under Sections 332, 333, 307, 302, 353 and 34 of the Indian Penal Code, registered in connection with Nayagaon P.S. Case No. 1 of 2024.

3. As per prosecution case, the petitioner was amongst the three miscreants who were fleeing away by Apache motorcycle. It is further alleged that the police chased them and the petitioner who was driving the said motorcycle dashed one Home guard namely, Sheo Mangal Singh who died in P.M.C.H. during course of treatment.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has



committed no offence. He submitted that there is no explanation of delay in sending the F.I.R. in the Court below. He further submitted that the petitioner himself has sustained injuries which shows that he was being assaulted by the police personnel. Petitioner is a person of clean antecedent and he is in custody since 12.01.2024.

5. Learned APP for the State and learned counsel on behalf of the wife of the deceased have opposed the application for bail and submitted that petitioner is named in the FIR and he was apprehended on spot. They submitted that the petitioner is one of the miscreants who killed the deceased intentionally by dashing him with motorcycle. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial within a period of one year, failing which petitioner will be at liberty to renew his prayer for bail.

8. As per report of the Jail doctor, the petitioner is required to be treated in PMCH, Patna, hence, the Jail Authority is directed to ensure the treatment of the petitioner



in PMCH, Patna, if it is required.

(Nawneet Kumar Pandey, J)

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