

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62650 of 2024

Arising Out of PS. Case No.-321 Year-2023 Thana- FATUA District- Patna

Sonu Kumar S/o Late Guddu Singh R/O Village Baruna Ps Fatuha District
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kishor Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-11-2024 Heard Mr.Kishor Kumar Sinha,learned counsel for
the petitioner and Mr.Syed Ehteshamuddin, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
4.05.2023 in connection with S.Tr.No.147 of 2024 arising out
of Fatuha P.S. Case No. 321 of 2023, F.I.R. dated 01.05.2023
registered for the offence punishable under Sections
323,341,302,120(b),504,34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. According to the prosecution case, the petitioner
along with four other co-accused persons assaulted the
informant's brother and one Sonu Kumar (petitioner) fired with
his pistol and the bullet hit in the neck of the informant's
brother, Pintu Kumar fired and the bullet hit on the right chest of



the informant's brother and Ajay Kumar fired and the bullet hit on the right arm of the informant's brother and he died on the spot.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and from a bare perusal of the FIR it appears that the informant is not the eye witness of the alleged occurrence.

5. The learned APP for the State and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he has fired upon the victim and the postmortem report also supports the allegation as alleged in the FIR and apart from that, there is also allegation against co-accused persons, namely, Ajay Singh @ Ajay Kumar and Pintu Kumar that they also fired upon the victim and regular bail application of co-accused persons, namely, Ajay Singh @ Ajay Kumar and Pintu Kumar has been rejected vide orders dated 05.03.2024 and 19.04.2024 passed in Cr. Misc. Nos.80033



of 2023 and 17285 of 2024 respectively by different Coordinate Benches of this Hon’ble Court.

6. Considering the aforesaid facts and there is direct and specific allegation against the petitioner supported by the medical evidence, I am not inclined to enlarge the petitioner on bail in connection with S.Tr.No.147 of 2024 arising out of Fatuha P.S. Case No. 321 of 2023 pending in the court of learned Additional District and Sessions Judge-IV, Patna City, Patna.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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