

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69228 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- BYPASS District- Patna

Sonu Kumar @ KaltuKumar @ Kalti Son of Ashok Chamar @ Ashok
Ravidas Resident of Vill- Bahari Dhawalpura, P.S.- Bypass, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Adv.

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 29-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bypass
P.S. Case No. 116/2023 corresponding to Sessions Trial No. 373
of 2024 registered for the offence punishable under Sections
302, 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. As per prosecution case, petitioner and other are
said to have fired upon the informant's nephew as a result of
which the informant's nephew sustained injury and on the way
to the N.M.C.H., he died.

4. Learned counsel for the petitioner submits that
bail prayer of the present petitioner has been rejected by this
Court on merit on 16.01.2024 vide Cr. Misc. No. 61309 of 2023



with direction to the trial court to conclude the trial as early as possible. He further submits that petitioner has filed the present bail petition after eight months from the date of rejection of his previous bail prayer. He further submits that charge has been framed on 19.06.2024 but up till now, no witness has been examined as yet and delay of trial is not in any way attributable to the present petitioner as he is in custody since 10.04.2023 and hence, he deserves bail. Petitioner bears no criminal antecedent

5. Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submitted that bail prayer of the petitioner has already been rejected on merit vide order dated 16.01.2024 and there is no fresh ground to grant bail to the petitioner as there is specific allegation of firing against the petitioner which hit the informant's nephew and postmortem report also supports that the death is caused by fire-arm injury.

6. A report regarding stage of trial has been sought by this court and in pursuance of the said direction, the trial court vide letter no. 69 dated 04.10.2024 has sent its report which reveals that charge has been framed on 19.06.2024 and summons have been issued.

7. Considering the facts and circumstances of the



case, nature of allegation levelled against the petitioner, earlier bail prayer of the petitioner has been rejected on merit as well as report of trial court, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner stands rejected.

8. However, the trial court is directed to conclude the trial as early as possible.

(Alok Kumar Pandey, J)

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