

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4466 of 2025**

Arising Out of PS. Case No.-393 Year-2024 Thana- SHERGHATI District- Gaya

Sonu Kumar S/o Munna Sao R/o Village- Khanjahapur, P.S.- Buniyadganj,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Adv.
For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 16-04-2025 Heard learned counsel for the petitioner and Ms. Renu
Kumari, learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 393 of 2024 instituted for the offences under Sections 309(6) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that three persons bearing helmets and masks came on a black motorcycle and started beating and snatching the Informant. Thereafter, one of three shot him with the pistol on his left waist due to which he sustained fire-arm injury whereafter all the three persons fled away with Rs. 14,01,500/- which was kept in his bag.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and the same has been lodged against unknown. The petitioner has not been put on Test Identification Parade. From the possession of the petitioner, neither Aadhar card nor Biometric device was recovered. The police has recorded Rs. 14,01,500/- from the possession of the petitioner but the same has not been put to Test Identification Parade. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. In Para-67 of the case diary, the Informant has stated that he cannot identify any of the three miscreants because they were wearing helmets. The petitioner has one criminal antecedent and is languishing in judicial custody since 4.08.2024 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The police has recovered Rs. 14,01,500/- and a country-made pistol with a live bullet from the possession of the petitioner. He further



submits that the petitioner has confessed his guilt of being involved in the alleged occurrence. Injury report also supports the prosecution case.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

rishi/-

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

