

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3530 of 2025

Arising Out of PS. Case No.-327 Year-2020 Thana- PATNA CITY CHOWK District- Patna

Sonu Kumar @ Sonu Sharma @ Dhillu Sharma @ Sonu Kumar Sharma Son
of Ashok Sharma @ Ashok Kumar Sharma Resident of Vill- Bhadrghat, P.S.-
Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 13-02-2026 Heard the parties.

2. The petitioner is in judicial custody in connection with Chowk P.S. Case No. 327 of 2020 for the offences under sections 302/34 of the Indian Penal Code and section 27 of Arms Act lodged on 05.10.2020 by the informant, Jyoti Devi.

3. As per the prosecution story, the informant alleged that when her husband was going to his shop on motorcycle, some accused persons riding motorcycle came and shot him causing his death. She further alleged that due to payment relating to sale/ purchase of the land, her husband had issue with Ashok Yadav which led to the killing. Accordingly, the FIR.

4. Twice, the bail application of the petitioner has been rejected and in this third attempt, report was called for



from the learned Trial Court.

5. The report dated 16.07.2025 shows that out of 17 charge-sheet witnesses, four have been examined.

6. Learned counsel for the petitioner submits that though he has multiple criminal antecedents, if granted relief, he undertakes not to indulge in any criminal activity and shall ensure his presence on each and every date before the Trial Court. Failure to do so, steps can be taken for cancellation of his bail bond. He further submits that he has already suffered by being in custody earlier from 12.08.2021 to 15.06.2023 and thereafter, from 26.09.2023 till date.

7. The submission is that the lady is not an eye-witness to the occurrence and he is ready to abide by any terms and conditions, if granted relief.

8. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that he has multiple criminal antecedents and on one occasion, also escaped from the judicial custody while being taken to the Trial Court.

9. Learned counsel for the petitioner submits that for that, he has already suffered and undertakes not to do any such criminal act in future.

10. Considering the submissions of the parties as also



that there is delay in conclusion of the trial, only four witnesses have been examined till the Trial Court Report came, he is in custody for a long period, an undertaking has been given that he shall be diligently appearing in trial and shall not indulge in any criminal activity, this Court is inclined to extend him the privilege of bail with conditions.

11. If however, he fails to abide by the terms and conditions as undertaken, the State shall take immediate steps for cancellation of the bail bond.

12. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.D.J. III, Patna City, Patna in connection with Chowk P.S. Case No. 327 of 2020 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight till the conclusion of the trial to mark his attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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