

In the Court of Addl. Sessions Judge, VIIth, Khagaria.

Bail Application No.1035/2023

Md.Sonu Alam vs.The State of Bihar.

20-09-2023 Bail Application filed on behalf of accused Md. Sonu Alam ,who is in custody since 10-06-2023 in connection with Gogari P.S.case No. 198/2023, G.R.No.1846/2023, under Sections 341, 323, 307, 337, 325, 353 and 504/34 I.P.C.has been moved.

The prosecution case in brief by informant Manish Prasad is that on 10-06-2023 at about 01.30 hours he along with other police personnels reached at the house of Md. Sonu Kumar son of Md. Kayum in course of raid of accused persons in different cases , surrounded their house and arrested accused persons. In this sequence the family members of accused persons closed the door ,and tried to take out of police custody and assaulted police party with lathi, bricks an iron rod to which some police officials sustained injuries Accused Md. Kayum ,Md.Faijan and Md.Sonu with other co-accused persons i.e. F.I.R.named eight accused persons including petitioners and 4-5 unknown have committed the occurrence.

The learned Advocate for petitioner has submitted that petitioner is innocent and has falsely been implicated in this case. All sections are bailable except sections 353 and 307I.P.C. which are not applicable against this petitioner. There is no specific allegation against this petitioner rather allegations are general and omnibus. It has further been submitted that co-acused 1. Md. Kayum alias Kayum Uddin and 2. Md. Faijan have already been granted bail by the Honble High Court, Patna vide order dated 14-09-2023 passed in Criminal Misc. No. 59229 of 2023 and case of petitioner stands on similar footing. Petitioner is in custody since 10-06-2023.On these grounds it has been prayed to release him on bail.

The learned A.P.P for the State has opposed the prayer for bail of petitioner.

Heard the learned Counsels for the parties and perused the bail petition and case diary. This case has been registered under Sections 341, 323, 307, 337, 325, 353 and 504 /34 I.P.C. Petitioner is

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named in the F.I.R. Similarly situated circumstances co-accused persons have already been granted bail by the Hon'ble High Court, Patna as mentioned above.

Considering the aforesaid facts and circumstances of the case, the prayer for bail of petitioner is allowed. Petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Court concerned.

(Dictated & corrected by me)

Sd-

(Addl. Sessions Judge, VIIth)
Khagaria.