

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 5730 of 2020**

Sonu Singh @ Akhilesh Kumar Singh **Petitioner**
Versus

The State of Jharkhand **Opposite Party**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
Through- Video Conferencing

For the Petitioner : Mr. D.K. Chakraverty, Advocate
For the State : Ms. Mohua Palit, A.P.P.

02/10.09.2020 Heard Mr. D.K. Chakraverty, learned counsel for the petitioner and Ms. Mohua Palit, learned A.P.P. for the State.

So far as defect nos. 4, and 5(e) are concerned learned counsel for the petitioner undertakes to remove the same once the situation normalizes. As regards, defect no. 9(i) is concerned the same is ignored.

The petitioner is an accused in connection with Sitaramdera P.S. Case No. 46 of 2020.

It has been alleged that the accused persons had started abusing the informant and thereafter the informant was fired upon. It has further been alleged that there was an indiscriminate firing which led to several persons suffering gun shot injuries.

It has been stated by Mr. D.K. Chakraverty, learned counsel for the petitioner that though the petitioner is named in the First Information Report but there is no specific allegation of firing at the informant-party so far as the petitioner is concerned. Learned counsel submits that admittedly there is no recovery of any firearms from the conscious possession of the petitioner. It has been submitted that the petitioner does not have any criminal antecedent. Learned counsel further submits that with respect to the same incident another First Information Report was instituted by the co-accused Kanhaiya Singh being Sitaramdera P.S. Case No. 45 of 2020. On being confronted with the fact that the bail application of one of the co-accused Raj Kumar Mandal has been rejected by this Court learned

counsel submits that the case of the petitioner is different to the said Raj Kumar Mandal. It has further been submitted that the firearm injuries were sustained from the side of the accused persons and not a single person from the side of the informant had suffered any injuries. Learned counsel also adds that the petitioner has remained in custody since 05.05.2020.

The incident which is the subject matter of the present First Information Report also seems to be the subject matter of Sitaramdera P.S. Case No. 45 of 2020. Basically a gang war had erupted which resulted in several injuries having been sustained by some of the participants in the said exchange of firing. So far as the petitioner is concerned he is named in the First Information Report along with his associates. Although no specific allegation of committing any overt act has been alleged against the petitioner but the First Information Report itself clearly depicts that the petitioner was also variously armed. In fact the case of the petitioner is on a worse footing than that of Raj Kumar Mandal whose bail application has already been rejected by this Court in B.A. No. 5603 of 2020.

On consideration of the aforesaid facts, I am not inclined to grant bail to the petitioner. This application accordingly stands rejected at this stage.

(R. Mukhopadhyay, J.)