

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47184 of 2014

Arising Out of PS.Case No. -220 Year- 2012 Thana -GAYA KOTWALI District- GAYA

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1. Sonu Kumar @ Sakara Son of Md. Abbas resident of village- Jagdishpur
Abbgilia, P.S.- Gaya Muffasil, at District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Surendra Pd.Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 04-02-2015 Heard the parties.

This is an application for bail for the offences punishable under sections 399 and 402 of the I.P.C. and sections 25 (1-b) A, 26 and 35 of the Arms Act.

At the very outset it is submitted that the co-accused Bhim Kumar from whose possession one country made pistol and single cartridge were recovered has already been allowed bail Vide Cr. Misc. No. 43559 of 2012 by order dated 04.02.2013 by another Bench of this Court and further other co-accused Shashi Prakash has been allowed bail vide Cr. Misc. No. 33607 of 2012 by order dated 08.10.2012 and co-accused Anil Kumr Ramani @ Anil Kumar @ Anil Rawani has been allowed bail vide Cr. Misc. No. 50963 of 2012 by order dated 04.01.2013 and as such the

petitioner also deserves sympathetic consideration as the petitioner is suffering in custody since 07.09.2012.

The learned A.P.P. is not in a position to distinguish the case of the petitioner.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.D.J.VIII, Gaya in S.T. No. 138 of 2014 arising out of Kotwali P.S. Case No. 220 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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