

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22445 of 2016

Arising Out of PS.Case No. -293 Year- 2014 Thana -MARHAURA District- SARAN

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Sonu Kumar @ Sonu Singh @ Sonu Kumar Singh Son of Late Menu Singh,
R/o Village- Pirauta, P.S.- Baniapur, District- Chapra (Saran).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 24-05-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences punishable under sections 364(A), 386 and 302 of the Indian Penal Code.

The petitioner was granted pre-arrest bail vide Cr. Misc. No.37151 of 2015 by order dated 5.11.2015 in this case, but he could not surrender within the stipulated period and, thereafter, he was arrested on 20.1.2016 and since then he is in custody.

Submission is of false implication and that due to some unavoidable reason, the petitioner could not surrender earlier resulting he was arrested, in this case the police, after completing investigation, has submitted final form, but the learned court

below, after differing with the opinion of the Investigating Officer, took cognizance and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the petitioner was allowed pre-arrest bail.

In the facts and circumstances stated above, now considering the detention of the petitioner, he is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Marhowrah P.S. Case No.293 of 2014, subject to the conditions that one of the bailors must be 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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