

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1878 of 2017

Arising Out of PS.Case No. -327 Year- 2016 Thana -GARKHA District- SARAN

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Sonu Kumar, S/o Birendra Prasad, R/o Village- Khodaibagh, P.S.- Khaira,
Distt.- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh

For the Opposite Party/s : Mr. Shyameshwar Dayal

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

ORAL ORDER

2 25-01-2017 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 395 and 397 of the I.P.C.

Allegedly, at the point of pistol, dacoity was
committed in the house of the informant and on protest the
miscreants assaulted the family members and thereafter the
inmates of the house caught two of the miscreants and also
informed the police but other miscreants started firing causing
injury to four members of the family of the informant and as soon
as the police reached there, the miscreants fled away.

Submission is of false implication and the petitioner
was not apprehended at the spot and he has been arrested only on
the basis of confessional statement of a co-accused Prabhat



Manjhi. Nothing has been recovered from the conscious possession of the petitioner or from his shop. He has not been put on T.I.P and as such, the petitioner deserves sympathetic consideration as he is in custody since 2.11.2016.

Learned APP appearing for the State, who opposes the prayer of bail by submitting that the petitioner has purchased the looted gold ornaments for Rs. 96,000/- which has come in the confessional statement of co-accused Prabhat Manjhi.

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.C.J.M.V, Saran in Garkha P.S. Case No. 327 of 2016, 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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