

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26396 of 2017

Arising Out of PS.Case No. -13 Year- 2016 Thana -SUIYA District- BANKA

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1. Sonu Barnwal Son of Late Awadh Kishore Barnawal, Resident of Village- Narganjo, P.S.- Jhajha, District- Jamui (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sri Prem Kumar Jha, A.P.P

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in custody since 02.03.2017 in connection with Suiya P.S. Case No. 13 of 2016 for the offences alleged under Sections 395 and 397 of the Indian Penal Code.

The prosecution case, as lodged by the informant is that while he along with his family members were going to attend marriage of his sister and when he reached Jilebiya More, they found the road blocked by big stones. His vehicle manage to escape but the other three vehicles of his relatives were stopped by ten un-known miscreants, armed with knife, rod and lathi. On the point of pistol, they looted the ornaments, money, mobile and ATM card of the family members of the informant.



It is submitted by the learned counsel for the petitioner that he is not named in the F.I.R. No T.I.P. has been done. On the basis of confessional statement of co-accused Santosh Kumar, his named has surfaced. It is further submitted that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is habitual offender and as many as five cases are pending against him in which some of them are of similar offences.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Banka in connection with Suiya P.S. Case No. 13 of 2016, subject to the condition that since the two cases of similar offence are pending against the petitioner, if the petitioner indulges in an offence of similar nature, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Nilu Agrawal, J)

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