

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 49417 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -KHAJAULI District- MADHUBANI

=====

Sonu Singh S/o Parmeshwer Singh, R/o Datuar, P.S.- Khajouli, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Gagan Deo Yadav, Advocate

For the State : Mr Anuj Kumar Srivastava, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered under Sections 399, 402, 414 of Indian Penal Code and Sections 25, 26, 35 of Arms Act.

Case, in the first information report, on the basis of self-statement of Sub Inspector of Khajouli Police Station, is that on intimation that 8 to 10 persons had assembled at Ekdara Koshi Nahar Pul for committing dacoity, he reached there and from there, six persons including the petitioner had been arrested. On the allegations made in the FIR, it is submitted by the counsel for the petitioner that at best, recovery of a mobile phone is attributed to the petitioner. It is submitted that the petitioner is the bona fide



owner of the said mobile phone and there is no allegation that it is the stolen mobile phone. The petitioner is in custody since 30.07.2017. It is further submitted that the petitioner has no concern with any criminal activity and he is a student of BA and is in the midst of preparation of examination. Other than recovery of mobile phone, there is no evidence on record against the petitioner and that prior to the instant case, there is no criminal antecedent of the petitioner.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate III, Madhubani in Khajouli Police Station Case No 80 of 2017 dated 29.07.2017 subject to the following condition:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

