

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44329 of 2017

Arising Out of PS.Case No. -458 Year- 2017 Thana -KANKARBAGH District- PATNA

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1. Sonu Kumar Son of Ram Babu Rajak, R/o Mohalla- Munnachak Pathper
, P.S.- Patrakamagar, District- Patna. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shraddhanand Paswan, Adv.

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

4 24-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kankarbagh
P.S. Case No. 458 of 2017 for offences punishable under Sections
414, 356, 379 and 411 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel
is that while the police personnel was on patrolling duty,
petitioner tried to flee away with motorcycle but after chase, he
was apprehended, and stolen motorcycle was recovered.
Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and he
did not know that the motorcycle was stolen one. He had taken it
from one of his friends. He submits that confessional statement of
co-accused, Sonu Kumar and his own extra judicial confession
before the police, has no evidentiary value in the eye of law. He



submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner and the petitioner is languishing in judicial custody since 25.06.2017.

However, learned APP for the State opposes the prayer for bail stating therein that petitioner was caught red handed.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna, in connection with Kankarbagh P.S. Case No. 458 of 2017 subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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