

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38777 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -SONBERSA District- SAHARSA

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Sonu Kumar Son of Sudhir Yadav, R/o Village- Bhada, P.S.- Sonbarsa Raj,
District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
13.02.2017 in connection with Sonbarsa Raj P.S. Case No. 14 of
2017 for offences punishable under Section 392 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while he was returning home in his motorcycle after attending
feast, four miscreants intercepted and took away his motorcycle,
mobile and cash.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and bears no



criminal history. He submits that on the basis of confessional statement of co-accused as well as his own confessional statement before the police which has no evidentiary value in the eye of law, he has been made accused. He submits that no T.I. Parade has been done so far and one mobile has been recovered which is alleged to be the stolen one on the basis of which he has been made accused. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

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 Chief Judicial Magistrate, Saharsa in connection with Sonbarsa Raj P.S. Case No. 14 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship



with the petitioner.

- (2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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