

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47684 of 2017

Arising Out of PS.Case No. -451 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Sonu Kumar Son of Ramdeo Kumar @ Mantu Yadav Resident of village-
Salarpur, P.S.- Parbatta, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kotwali
(Barari) P.S. Case No. 451 of 2016 for offences punishable
under Sections 379 and 411 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he had parked his motorcycle near the hotel, after
coming out he found his motorcycle stolen.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and does not bear any criminal antecedent. He submits
that although the presence of the petitioner has been seen in the



CCTV footage, but no overt act has been committed and neither any Test Identification Parade has been done so far. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and he is languishing in judicial custody since 25.07.2017.

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, Bhagalpur, in connection with Kotwali (Barari) P.S. Case No. 451 of 2016, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) 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)

Rajesh/-

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