

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8012 of 2019

Arising Out of PS. Case No.-410 Year-2018 Thana- TEGHRHA District- Begusarai

SONU KUMAR @ SONU KUMAR THAKUR, Male, aged about 20 years,
Son of Sanjay Kumar Thakur, Resident of Village - Barauni - 1, tola Gajipur,
P.S. Teghra, District – Begusarai ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party : Mr. Indra Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-02-2019 Petitioner is permitted to make correction in paragraph 3 of the application, as instead of 420 it has inadvertently been typed as 4220.

Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 29.10.2018 in connection with Teghra P.S. Case No. 410 of 2018 for the offences alleged under Sections 394 and 411 of the Indian Penal Code and under Sections 25(1-b)a, 26(2) and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that he being an employee of M/S Om Enterprises was travelling in a tempo after collecting rupees eight thousand from various customers, two persons on pistol point fired on the informant, which hit his thumb and took away the bag



containing cash.

It has been submitted by the learned counsel for the petitioner that he is innocent, has been falsely implicated in the aforesaid case, his name surfaced only on the confessional statement of the co-accused, Vikash Kumar, before the police, which has no evidentiary value in the eye of law. It is, further, submitted that no test identification parade has been done and only his photograph has been identified by the witnesses, which is not the mode of conducting test identification parade under law. It is, further, submitted that the informant has stated on affidavit, which is Annexure 3 to the supplementary affidavit, that he knows the petitioner and petitioner has not committed any such offence, as alleged. It is, further, submitted that the petitioner is a student and his whole career will be jeopardized and that charge sheet has already been submitted, there being no allegation of tampering with the prosecution witness.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in



connection with Teghra P.S. Case No. 410 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, subject to the condition that 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.

(Nilu Agrawal, J)

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