

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20487 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- BIHTA District- Patna

SONU KUMAR @ SONU KUMAR SINGH S/o- Late Amrendra Singh R/O
Village- Hematpur, P.S.- Ara Muffasil, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiva Ranjan

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 22.01.2019 in a case registered for the offences punishable under Sections 395 and 412 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Ranjeet, Inspector-cum-SHO, Bihta Police Station submitted before the learned ACJM, Danapur is to the effect that on 20.01.2019 at 10.15 P.M., the informant received an information that a container was robbed by the Scorpio vehicle borne miscreants. After having received such information, when the informant made search, he found the container parked at Lekhan Tola, but none was found present in the container, hence, the informant started keeping watch over



the said container and after some time, in the morning on 21.01.2019 at about 3.00 A.M., one Scorpio vehicle came in front of the container and from the Scorpio vehicle, two persons got down and boarded in the container, while remaining persons were seated in the Scorpio vehicle and as soon as the police party, tried to intercept the Scorpio vehicle, one person from the said vehicle managed to flee away from the scene, but two accused persons were arrested from the said vehicle, whereas two persons were arrested from the container. Subsequently, the apprehended co-accused disclosed their name as Md. Rinku, Sushil Verma, Aftab Ali and Sonu Kumar, the petitioner. They further disclosed the name of the persons who escaped from the scene as co-accused Bablu Singh. Though, nothing incriminating was recovered from their possession but they confessed their involvement in the alleged occurrence.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession of the petitioner and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. It is further submitted that similarly situated co-accused person has been granted bail by this Court vide order dated 01.04.2019, passed in Criminal Miscellaneous No. 19532



of 2019.

Learned APP submits that the petitioner was apprehended from the spot and he is named in the FIR.

Considering the fact that the petitioner was apprehended when no recovery was made and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released 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 Additional Chief Judicial Magistrate-I, Danapur, Patna in connection with Bihta P.S. Case No. 74 of 2019.

(Dinesh Kumar Singh, J)

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