

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24304 of 2019

Arising Out of PS. Case No.-153 Year-2016 Thana- KASIMBAZAR District- Munger

SONU KUMAR @ SUNNY YADAV Son of Praveen Yadav @ Pradip Yadav,
Resident of Village- Heru Diyara, P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan

For the Opposite Party/s : Mr.Jitendra Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302/34,120(B) IPC and Section 27 of the Arms Act registered in connection with Kasim Bazar P.S. Case No. 153/2016.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion except which there is no other objective material to connect the petitioner with the alleged occurrence. The petitioner has been living at Munger and had no knowledge that he had been made accused in the present case. The petitioner along with other persons had been shown in the charge sheet as absconders but, however, process under Section 82 and 83 Cr. P.C. has not been issued. A statement is made at the Bar on behalf of the petitioner that 18 co-accused persons have since been acquitted in Sessions Case No. 244/2017. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing provisional bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of



learned A.D.J Ist, Munger in connection with Kasim Bazar P.S. Case No. 153/2016 , subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

5. That the provisional bail granted to the petitioner shall stand confirmed upon verification by the learned Court below that no process under Section 82 Cr.P.C. has been issued against the petitioner and that 18 other co-accused persons have been acquitted in Sessions Case No. 244/2017. In case the contrary is found with respect to either of such claims of the petitioner, the bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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