

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57074 of 2019

Arising Out of PS. Case No.-151 Year-2019 Thana- HARNAUT District- Nalanda

Sonu Kumar @ Sonu Paswan Son of Indradev Paswan Resident of Village - Kalyan Bigha, P.S.- Kalyan Bigha (O.P. Harnaut), District- Nalanda (According to F.I.R.) in Fact Resident of Village - Dumari, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Harnaut P.S. Case No. 151 of 2019, registered under Section 414 of the Indian Penal Code and 25(1-B)a/26/35 of the Arms Act.

The allegation against the petitioner is that on secret information that petitioner and other co-accused persons had assembled to commit robbery, the police raided the house of Praduman and on search recovered a mobile phone, further raided house the house of co-accused Mithun Rai and recovered two mobile phones, 3 live cartridges of 315 bore and 5 used cartridges.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case, inasmuch as no stolen property was recovered from the possession of the petitioner and police has allegedly also recovered motorcycle from the *Sasural* of the petitioner of which the petitioner is an exclusive owner and is not the stolen property.

Learned counsel for the petitioner relying upon the Annexure-2, which is RC book of the motorcycle in question having name of the petitioner as an owner. He further relied upon Annexure-3 and submits that petitioner is a good student and has competed in railway, for which appointment letter has been issued in favour of the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner is bona-fide owner of the recovered motorcycle and also competed in the railway exam, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Nalanda at
Biharsarif in connection with Harnaut P.S. Case No. 151 of
2019; subject to condition as laid down hereinabove and under
Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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