

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77745 of 2019

Arising Out of PS. Case No.-301 Year-2018 Thana- BIDUPUR District- Vaishali

SONELAL KUMAR S/o Late Nandlal Sah R/o village- Ismailpur, P.S.-
Hajipur Sadar, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar
For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 399, 402, 414 of the Indian
Penal Code and Sections 25(1-B)a, 26, 35 of the Arms Act.

Prosecution case as lodged by the police personnel is
that on secret informant that some criminals are assembled in
the Mango orchard of Bikram Singh at Ramdauli and they are
making plan to commit a big crime at Bidupur, a raid was
conducted and two criminals have been apprehended but rest
criminals fled away. The apprehended persons disclosed their
name as Deepak Kumar Singh and Abhishek Kumar Singh. On
search, one country made katta with live cartridge and mobile
have been recovered from the possession of both the accused



persons. One motorcycle was also recovered. On demand, both the accused could not produce any valid paper with regard to the aforesaid arms and motorcycle. Accordingly, a seizure list was prepared.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that there is no recovery from the conscious possession of the petitioner and he is languishing in judicial custody since 23.05.2019. He further submits that similarly situated co-accused Deepak Kumar has been granted bail by a coordinate Bench of this Court vide order dated 29.03.2019 in Cr. Misc. No. 3799 of 2019.

In the facts and circumstances of the case, 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 to the satisfaction of the learned Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur in connection with Bidupur Police Station Case No. 301 of 2018, subject to the conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.



(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Anjani Kumar Sharan, J)

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