

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3480 of 2019

Arising Out of PS. Case No.-107 Year-2018 Thana- NAWADA MUFFASIL District- Nawada

Sonu Kumar, son of Karu Ravidas, Resident of Village- Pachhiadih, P.S.
Mufassil, District- Nawada ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Bhavesh Kumar, Adv.
For the Opposite Party : Mr.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-01-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner has been remanded in this case on
09.08.2018 in connection with Nawada Muffasil P.S. Case No.
107 of 2018 for the offence alleged under Section 392 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was on his way, two unknown persons intercepted
and took away his mobile and motorcycle along with cash of
Rs.7,000/-.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the first information
report and has been falsely implicated in the aforesaid case. He,
further, submits that he was in custody in another case bearing
Nawada Muffasil P.S. Case No. 112 of 2018 and has been



falsely implicated. It is, further, submitted that no test identification parade of the petitioner has been done so far nor the stolen mobile has been identified by the informant and the petitioner is languishing in judicial custody, in the present case, since five months. He, further, submits that charge sheet has already been submitted, there being no allegation of tampering with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case although for different offence, is pending against him.

Considering the nature of allegation and the materials on record as well as the period of custody, 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 Nawada Muffasil P.S. Case No. 107 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Nawadah, subject to the following conditions :

(i) 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.

(ii) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to move the
learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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