

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5508 of 2020

Arising Out of PS. Case No.-158 Year-2019 Thana- CHAUSA District- Madhepura

SONU KUMAR, aged about 20 years, Male, son of Sri Arvind Sharma @
Arvind Sharma @ Bucho Sharma, resident of Village - Ghosai, P.S.- Chausa,
District - Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Chausa P.S. Case No.158 of 2019,
registered for the offence under Sections 392 and 414 of the
Indian Penal Code.

As per the F.I.R., 07.06.2019 at about 3:00 to 4:00
A.M. in the morning, when the informant was going to
Bhawanipur, along with one Gurudev Sah to sell 177 packets of
maize, which was loaded on his Tractor, at that time, two
unknown persons came there in a white colour Sumo Victa
vehicle and stopped their vehicle in front of the informant's
Tractor and thereafter co-accused namely, Sikandar Yadav



pulled down the informant from his tractor on gun point and tied a cloth trip on his eyes and snatched the key of the Tractor from the informant and tried to take away the said Tractor but, in the meantime, some technical fault occurred in the said Tractor and due to which, the said Tractor could not move. Thereafter, co-accused namely, Sikandar Yadav called Mithun Kumar, who came there along with one red colour Mahindra Arjun Tractor and carried away the informant's Tractor towards Puraini. It has also been alleged that two unknown persons got the informant to sit on the said Sumo Victa vehicle and then, got him down in a maize field near Ghosai Syam Tola and fled away. It has also been alleged that the accused persons snatched a mobile and cash of Rs.2600/- from the informant. The Police seized the said Tractor from co-accused namely, Ajay Sharma.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. but, his name has surfaced in the confessional statement of co-accused Mithun Kumar.

Looking to the nature of allegation and also the fact that co-accused Mithun Kumar, in his confessional statement, has stated the name of this petitioner as one of his associates in committing the crime, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail is rejected.



However, if the petitioner surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order on the same day without being influenced by the order of this Court.

(Shivaji Pandey, J)

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