

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20562 of 2020

Arising Out of PS. Case No.-356 Year-2019 Thana- GORAUL District- Vaishali

SONU KUMAR Son of Jailal Rai @ Jay Lal Roy Resident of Village - Dhane
Goraul, P.S.- Goraul, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radhe Shyam

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 31-08-2020

The defects, as pointed out by the office, be ignored.

Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner is in jail custody since 27.9.2019 in connection with Goraul P.S. Case No. 356 of 2019 registered for the offences punishable under Sections 399, 402, 413, 414 of the Indian Penal Code and Section 25(1-B)a, 26 and 35 of the Arms Act.

Petitioner is said to have caught on the spot along with his associates when he as well as others had assembled to make preparation for committing a heinous crime. One country-made katta and one live cartridge is said to have been recovered from conscious possession of the petitioner.

Learned counsel appearing for petitioner submits that



the first information report does not disclose the ingredients of Sections 399 and 402 of the Indian Penal Code because in written report, the informant has nowhere claimed that the petitioner and others had assembled to make preparation for committing dacoity. He, further, submits that, no doubt, the petitioner does have criminal antecedents of two cases but no case of dacoity or loot has been instituted against the petitioner. He, further, points out that some co-accused, having more or less similar allegation, have already been granted privilege of bail by different Benches of this Court.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Hajipur/concerned court in connection with Goraul P.S. Case No. 356/2019.

(Hemant Kumar Srivastava, J)

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