

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.26004 of 2020**

Arising Out of PS. Case No.-294 Year-2018 Thana- KHIJARSARAI District- Gaya

Sanni Kumar, Son of Sunil Singh, Resident of Village - Utrawan, P.S.-
Khizarsarai, District – Gaya. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Pranav Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

6 18-12-2020 Heard learned counsel for the petitioner and Mr. Pranav
Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking pre-arrest bail in connection with Khizarsarai P.S. Case No. 294 of 2018 registered for the offences punishable under Sections 379, 420, 467, 468, 472, 474 and 34 of the Indian Penal Code and Section 66© and 66(D) of the Information and Technology Act, 2000.

Learned counsel for the petitioner submits that the name of the petitioner has transpired in the confessional statement of the apprehended accused. Learned counsel submits that there is no recovery from the house of this petitioner and co-accused Shiv Shankar Kumar whose name had also transpired in the confessional statement and is similarly situated to the present petitioner has been granted privilege of anticipatory bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 75042 of 2019 vide Annexure '2' to the present application.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein this Court has noticed that the name of the petitioner has transpired in the confessional statement of the apprehended accused, however, it is the submission of learned counsel for the petitioner that there is no recovery from the house of this petitioner and co-accused Shiv Shankar Kumar whose name had also transpired in the confessional statement and is similarly situated to the present petitioner has been granted privilege of anticipatory bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 75042 of 2019 vide Annexure '2' to the present application, the petitioner has got one antecedent and it is the submission of learned counsel for the petitioner that he is seeking his remedy in the said case, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Khizarsarai P.S. Case No. 294 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself



available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

vats/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

