

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29006 of 2020

Arising Out of PS. Case No.-105 Year-2020 Thana- ALAMNAGAR District- Madhepura

Sonu Kumar @ Sonu Singh, Son of Pramod Singh, Resident of Village-Bhakhana Basa, Police Station-Alamnagar, District-Madhepura at present Resident of Village-Douka, Police Station-Choutham, District-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 26-11-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Mr. Rajesh Kumar, learned APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with



Alamnagar P.S. No.105 of 2020 registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code.

The F.I.R. alleges that 4-5 unknown persons armed with firearm have assaulted the informant and his labour and entered into his house and took away ornaments, costly clothes and cash altogether worth Rs.10,00,000/-.

Petitioner's counsel submits that the informant is maternal grandfather of the petitioner, still he has not named the petitioner in the F.I.R. On the contrary, he has stated that the offence was committed by unknown persons. However, the informant after three days of the occurrence has filed a petition in which he has taken the name of the petitioner. Son of the informant, wife of the informant and the sister-in-law of the informant have been examined, but they too have not stated about the petitioner, though they are all family members. His implication is based on extraneous considerations and is false. The petitioner has a clean past and is in custody since 28.05.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is



inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the learned Additional Chief Judicial Magistrate-1st, Madhepura, in connection with Alamnagar P.S. No.105 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

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

