

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33549 of 2021

Arising Out of PS. Case No.-583 Year-2019 Thana- BANKA District- Banka

=====

SONU KUMAR SON OF RANJIT RAI R/O VILLAGE- DHAKA MORE,
P.S. AND DIST.- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-12-2021 Heard Mr. Sanjay Kumar Jha, learned counsel for

the petitioner and Mr. Umanath Mishra, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with Banka
(Barahat) PS Case No. 583/2019 registered for the offences
punishable under Sections 399 & 402 of the IPC.

The allegation, as per First Information Report, is that
the police after getting secret information that some miscreants
have assembled on the main road from Barahat to Bhagalpur
near Kahirapur, proceeded towards the place of occurrence and
when they reached there, they saw one Apache motorcycle
having no registration number on which two persons were
sitting and a black coloured Pulsar motorcycle on which three
persons were sitting. It is further alleged that all the five persons
on the aforesaid two motorcycles tried to escape after seeing the
police party and three persons who were sitting over Pulsar



managed to escape but two persons who were sitting on Apache were arrested who disclosed their names as Rajeev Kumar and Sonu Kumar (petitioner). The accused persons did not produce any document showing their ownership of the above motorcycle.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and from perusal of the seizure list, it would be evident that the stolen Apache motorcycle was recovered from the possession of the co-accused, Rajeev Kumar and the petitioner was pillion rider of the said motorcycle.

Learned counsel further submits that the said Rajeev Kumar has been granted bail by a Bench of this Court *vide* Cr. Misc. No. 2663/2020. Learned counsel next submits that the petitioner is in custody since 22.08.2019 and the charge-sheet, in the matter, has also been submitted. It is further submitted that after arrest of the petitioner in this case he has been made accused in three other cases on the basis of confessional statement.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the motorcycle has been recovered from the



possession of co-accused, Rajeev Kumar who has already been granted bail by a Bench of this Court, petitioner is in custody since 22.08.2019 and the charge-sheet, in the matter, has also been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SONU KUMAR be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka (Barahat) PS Case No. 583/2019.

(Anil Kumar Sinha, J)

perwez

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

