

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35715 of 2021

Arising Out of PS. Case No.-335 Year-2019 Thana- RAJAON District- Banka

Sonu Kumar Son Of Ranjit Rai Resident Of Village- Dhaka More, P.S. And District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 395 of the Indian Penal Code.

As per the prosecution case, while the informant along with other 5 to 6 co-villagers were returning to their village after selling buffalos, all of a sudden two unknown miscreants surrounded them and snatched their money and mobile phone on the point of pistol.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement of co-accused Rajiv Kumar. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Petitioner has claimed clean antecedent and he is in custody since 20.2.2020. Several



similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court vide orders passed in Cr. Misc.No. 32658/2020 and 30611/2020.

Considering the facts and circumstances of the case, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Banka in Rajoun Police Station Case No. 335 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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