

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1272 of 2021

Arising Out of PS. Case No.-366 Year-2019 Thana- TEGHRHA District- Begusarai

Sonu Kumar, Son of Parmeshvar Pandit, Resident of Ward No. 04, Khadiyahi,
Bibhutipur, P.S. - Bibhutipur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S.K. Lal, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-03-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Teghra P.S. Case No.366 of 2019 registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. Learned counsel submits that the petitioner has been dragged in this case only on the basis of the confessional statement of the co-accused and nothing has been recovered from the possession of the petitioner.

Learned counsel submits that in course of investigation



neither anybody has named this petitioner nor there is identification of the petitioner by any witness. It is submitted that the petitioner has remained in jail in connection with the present case since 06.02.2020.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner has been dragged in this case on the basis of the confessional statement of the co-accused, he has however, remained in jail in connection with the present case since 06.02.2020, investigation against him is complete and in course of investigation neither anybody has named this petitioner nor there is identification of the petitioner by any witness, the only case being Ballia P.S. Case No.347/2019 is there against him in which he has been recently granted bail by a learned coordinate Bench of this Court, considering that the investigation is complete and the petitioner has remained in jail for over one year in connection with the present case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No.366 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the



conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such 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 or tamper with the evidence.

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. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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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'.

