

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3550 of 2021**

Arising Out of PS. Case No.-317 Year-2020 Thana- JAKKANPUR District- Patna

SONU KUMAR S/o Ratan Chaudhary R/o Diwan Mohalla, Ghisiyari Gali,
Patto Ka Bagh, P.S.- Khajekala, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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

2 13-04-2021 Learned counsel for the petitioner undertakes to remove the defects as pointed out by the stamp reporter within four weeks from the date of start of normal functioning of this 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 Jakkanpur P.S. Case No. 317 of 2020 registered for the offences under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the informant lodged this case alleging that his tempo has been stolen away in the midnight of 01.07.2020. The F.I.R. has been lodged against unknown.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is submitted that the name of the petitioner has transpired in the confessional statement of the co-accused and nothing has been recovered from possession of the petitioner. The petitioner is in jail since 31.07.2020 having no criminal antecedent.

Learned A.P.P. for the State is present and has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case and the submissions of learned counsel for the petitioner that the name of the petitioner has transpired in the confessional statement of the co-accused, however, no stolen property has been recovered from the possession of the petitioner and the petitioner is in jail in connection with the present case since 31.07.2020, investigation against him is complete and further incarceration of the petitioner in jail is not likely to come in aid of the investigation or the prosecution, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Sub Judge-I-cum-A.C.J.M., Patna in connection with Jakkanpur P.S. Case No. 317 of 2020, 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 above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands disposed of accordingly.

(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'.

