

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2239 of 2022

Arising Out of PS. Case No.-468 Year-2020 Thana- BARAUNI District- Begusarai

Sonu Singh @ Sonu Kumar, S/o Pradeep Yadav @ Pradeep Gop, Resident of
Yadavgali Lane, P.S.- Pirbahore, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-09-2022 The matter is being taken up on priority basis on the

urgent motion slip filed by the petitioner, as the father of the

petitioner died on 04.09.2022.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Akhauri Kamal Kishore Sahay, learned
counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Barauni (Garhara OP) P.S. Case No. 468 of
2020 registered for the offences punishable under Sections 394
and 397 of the Indian Penal Code.

As per prosecution case, it is alleged that four
miscreants armed with weapon entered into the office of the



informant and on the point of pistol they looted Rs. 4,91,200/- from the cash counter and vault room. They also looted mobile phones and other valuables of the customers.

Learned counsel appearing on behalf of the petitioner submits that the F.I.R. was instituted against unknown persons and during the course of investigation, the co-accused Karan Kumar was apprehended and the name of the petitioner transpired on the confessional statement of said Karan Kumar. However, the co-accused Karan Kumar has already been granted bail by this Court in Cr. Misc. No. 49808 of 2021 vide order dated 08.08.2022. It is next submitted that the petitioner was neither put on Test Identification Parade nor any incriminating material has been recovered from his person or possession and save and except the confessional statement, there is no other material suggesting the complicity of the petitioner in this crime. He lastly submits that so far the petitioner is concerned, he is in custody since 03.09.2021.

On the other hand, learned APP for the State opposes the bail application and submits that the name of the petitioner has come during the course of investigation and he is also found involved in one another case.

Regard being had to the submissions made on behalf



of the parties and considering the fact that the petitioner is neither named in the F.I.R. nor any incriminating material has been recovered from his person or possession and save and except the fact that the name of the petitioner has come on the confessional statement of co-accused Karan Kumar, who has already been granted bail by this Court, there is no material, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai in connection with Barauni (Garhara OP) P.S. Case No. 468 of 2020 subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain physically present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.



(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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