

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7169 of 2022

Arising Out of PS. Case No.-603 Year-2019 Thana- BUXAR District- Buxar

Madan Sonar Son of Late Saryu Prasad Resident of Village - Badkadiya, P.S.-
Krishna Braham, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Buxar
Town P.S. Case No. 603 of 2019 registered for the offence under
Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 30.07.2021.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so, taken away jewellerys made of gold and silver
from the shop of the informant.

Learned counsel appearing on behalf of the petitioner



submitted that the name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Dipak Kumar Verma and nothing recovered or surfaced during the course of investigation in furtherance of the said confessional statement, which may implicate or connect the petitioner, with the present set of occurrence. It has further been submitted that one golden chain recovered from the petitioner but the same was not put on T.I.P. It has further been submitted that the petitioner is involved in sixteen cases of similar nature, as mentioned in paragraph no.3 of the bail petition, where petitioner is already acquitted in three cases and on bail in rest of 13 cases. It has further been submitted that co-accused persons have already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 29705 of 2020 dated 10.11.2020. While concluding the argument, it has further been submitted that investigation in this case is complete and chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the name of the petitioner surfaced on the basis of confessional statement of co-accused.



Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced during the course of investigation, which may connect the petitioner with the present set of occurrence coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Buxar Town P.S. Case No. 603 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical



ground of the petitioner, duly supported by
the documents.

(iii) That one of the bailors shall be
Indrajeet Prasad Soni, who is the brother of
the petitioner and deponent of the present
bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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