

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10203 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- BARAUNI District- Begusarai

Sonu Kumar Son of Pramod Mahto Resident of Village- Kiul, Ward No. 13,
P.S.- Barauni (Garhara O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-06-2022 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 two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Barauni
(Garhara) P.S. Case No. 16 of 2022 registered for the offence
under Sections 457 and 380 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.01.2022.

The allegation against the petitioner is to commit theft
in night after committing trespass.

Learned counsel appearing on behalf of the petitioner
submitted that due to wage related dispute as the petitioner work
as a labour, he has been implicated falsely in the present case. It



has also been submitted that from very perusal of the F.I.R. itself, it appears that the arrest has been made by private persons and the alleged stolen jewelry has also been seized by the informant. While arguing over the matter, it has also been submitted that no seizure list has been prepared, which only falsify the allegation in the backdrop of wage related dispute. While concluding the argument, it has also been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence and moreover, the petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that F.I.R. is not suggesting about preparation of any seizure list.

Considering the facts and circumstances as mentioned above, as the seizure list is disputed in view of F.I.R. itself coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Barauni (Garhara) P.S. Case No. 16 of 2022 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, Begusarai, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be properly represented 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 duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like brother of the petitioner, namely Pankaj Kumar, who imputed affidavit as deponent in the present bail petition in favour of the accused/petitioner.

(Chandra Shekhar Jha, J)

Ankit/-

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