

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22157 of 2021

Arising Out of PS. Case No.-309 Year-2020 Thana- CHAUTHAM District- Khagaria

SUNNY KUMAR SON OF JAY PRAKASH GUPTA Resident of Village -
Pakrail Bind Toli, P.S.- Mahesh Khunt, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lakshmi Kant Tiwary, Advocate
		Mr. Nitesh Kumar, Advocate
For the Opposite Party/s :		Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-01-2022 Heard Mr. Lakshmi Kant Tiwary, learned
Advocate for the petitioner and the learned APP for the
State.

The petitioner seeks bail in anticipation of his arrest in connection with Chautham P.S. Case No. 309 of 2020 dated 10.11.2020 instituted for the offences under Sections 406, 420, 379, 411 and 34 of the Indian Penal Code.

While attempting to steal a goat of the informant, one of the persons was apprehended who disclosed his name as Sohan Kumar. At that time one Anita Devi came and said that he (Sohan Kumar) along with another had fraudulently taken away the jewellery from his house on the pretext of cleaning the same.

Aforesaid Sohan Kumar is said to have disclosed the name of the petitioner as one of his associates who



was driving the motorcycle.

Learned counsel for the petitioner has submitted that except for the aforesaid statement, there is no other material to connect the petitioner with the offence. The petitioner has no idea about the activities of Sohan Kumar and is sought to be prosecuted in this case only on the basis of suspicion.

The petitioner earlier was made accused in a case of Excise Act in which he has been granted bail.

Considering the aforementioned facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Khagaria in connection with Chautham P.S. Case No. 309 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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