

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13785 of 2022**

Arising Out of PS. Case No.-738 Year-2021 Thana- KHAJANCHI HAT District- Purnia

SONU KUMAR MEHTA @ SONU KUMAR S/o Late Bindeshwari Mehta  
Resident of Village- Housing Board Colony, P.S.- K. Hat, District- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Surendra Kumar

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      13-07-2022                      Heard Mr. Amit Kumar Anand, learned counsel for  
  
the petitioner and learned APP for the State.

The petitioner seeks bail in connection with K. Hat  
P.S. Case No. 738 of 2021, registered for the offences  
punishable under Sections 379 of the IPC.

As per allegation, a motorcycle bearing registration  
no. BR-39N/0982 has been stolen, which was parked outside  
the shop of the informant.

The learned counsel for the petitioner submits that  
the petitioner is innocent and has falsely been implicated in  
this case. He further submits that petitioner is not named in  
the FIR and the case is based on suspicion. It is also pointed



out that no incriminating articles have been recovered from the conscious possession of the petitioner. However, charge-sheet has been submitted against him.

The petitioner is in custody since 03.09.2021

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Hon'ble Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances the petitioner, above-named, is directed to be released on bail 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 Chief Judicial Magistrate, Purnea in connection with K. Hat P.S. Case No. 738 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.



(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.



The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

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