

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13416 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- CHACKMEHSI District- Samastipur

Sonu Kumar, Son of Raju Sah, Resident of Village- Gopalpur, Bhutta Chowk,
Basudeopur, Ward No.- 09, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Mauar, Advocate
		Mr. Raj Krishan Jha, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narain Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-10-2022 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. Arvind Kumar Mauar, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Chakmehsi P.S. Case No. 05 of 2022 registered for the offences punishable under Section 395 of the Indian Penal Code.

As per prosecution case, it is alleged that on 09.01.2022, at about 9.00 PM, while the informant and his other staffs were counting currency notes, in the meantime, six persons, having covered their faces, entered into the office and



looted cash of Rs.18,28,730/- on the point of pistol. It is also alleged that the accused persons also took out the DVR of CCTV and fled away after making firing.

Learned counsel appearing on behalf of the petitioner submits that admittedly the F.I.R. has been instituted against unknown miscreants. However, in course of investigation co-accused, namely, Ashish Kumar @ Prince Kumar, was apprehended and the name of the petitioner transpired on his confession, wherein he has confessed that looted amount was distributed on the roof of the house of the petitioner. He next submits that save and except the confession, neither the petitioner has been put on TIP nor any incriminating material, much less, the looted amount has been recovered from the person or possession of this petitioner. He further submits that the petitioner, having fair antecedent, is in custody since 15.01.2022 and he has no connection with any of the accused persons.

On the other hand learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that save and except the confessional statement, there is no material suggesting the



complicity of the petitioner in the present crime, apart from the period of incarceration and fair antecedent of the petitioner, 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, Samastipur in connection with Chakmehsi P.S. Case No. 05 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

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

(ii) He will remain 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.

(Harish Kumar, J)

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