

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20849 of 2022

Arising Out of PS. Case No.-539 Year-2020 Thana- RANIGANJ District- Araria

1. Sonu Kumar @ Sonu Kumar Yadav @ Sonu Nigam S/O Naveen Prasad Yadav @ Naveen Yadav R/o Village- Bairakh Ward No. 01, P.S.- Raniganj, District- Araria
2. Mantoo Kumar Yadav @ Mantoo Kumar S/o Pramanand Yadav R/o Village- Bairakh Ward No. 01, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate.
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-08-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Raniganj P.S. Case No. 539 of 2020 lodged under Section 392 of the Indian Penal Code.

Learned counsel for the petitioners submits that F.I.R. has been filed against unknown. Petitioners are not named, nothing incriminating has been recovered from their possession nor TIP has taken place. He further submits that petitioner no.1 is in custody since 08.11.2021 whereas petitioner no.2 is in

custody since 30.11.2021, chargesheet has been filed against both the petitioners in this case. On the point of criminal antecedent, learned counsel for the petitioners submits that they are ready to fulfill all the conditions, whatsoever may be laid down.

Learned counsel for the State opposes the prayer for bail and submits that the petitioners have criminal antecedent and once bail shall be granted they shall create every hurdle in delaying the trial.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, VI, Araria in connection with Raniganj P.S. Case No. 539 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

The prosecution is at liberty to do all the needful for conducting of trial of all pending cases against the petitioners in one court, so that unnecessary hurdle may not be created by the petitioners.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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