

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21760 of 2022

Arising Out of PS. Case No.-460 Year-2021 Thana- KAHALGAON District- Bhagalpur

Sunny Kumar @ Rahul S/O Late Suresh Mandal R/O Mohalla- Tilkamanjhi,
P.S.- Tilkamanjhi, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-09-2022 This matter has been taken-up through video conference.

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

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks form today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 395 and
397 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation is of looting of Rs. 2,23,673/- and mobile
phones from the Bank on the point of pistol.

Learned Counsel for the petitioner submits that petitioner
is innocent and has been falsely implicated in this case. It is
further submitted that the petitioner is not named in the F.I.R.
and he has been made accused in this case only the basis of



confessional statement of another co-accused, namely, Ajnish Kumar, @Ashish Paswan, who has been granted bail by this Court *vide* order dated 09.03.2022 passed in Criminal Miscellaneous No. 14938 of 2022. Nothing has been recovered from the conscious possession of the petitioner. Further it is submitted that the petitioner is in custody since 09.08.2021, charge-sheet has been submitted in the case and has antecedent of one case.

Learned A.P.P for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-Vth, Bhagalpur in connection with Sessions Trial No. 14 of 2022 arising out of Kahalgaon P.S. Case No. 460 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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