

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25509 of 2022**

Arising Out of PS. Case No.-77 Year-2022 Thana- CHAPRA TOWN District- Saran

Sonu Kumar @ Sonu Kumar Gupta Son of Ashok Kumar Gupta Resident of  
Village - Roopganj, P.S. Chhapra Town, District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Gaurav Kumar, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      17-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The petitioner is in custody in connection with  
Town P.S. Case No. 77 of 2022 under sections 414 and 401 of  
the Indian Penal Code.

As per the allegation in the FIR, the police upon  
information that a thief has been apprehended along with stolen  
motorcycle, reached the spot and it is further alleged that upon  
interrogation, he gave his name as Sonu Kumar Gupta and from  
him, a stolen motorcycle was recovered. Accordingly, the FIR  
was registered and the petitioner was taken into custody.

Learned counsel for the petitioner submits that he



innocent and has been falsely implicated in this case. With the help of different Annexures, he has brought attention to the Court that the petitioner is actually a patient of Central Institute of Psychiatric, Kanke, Ranchi and under misunderstanding, he was apprehended along with the motorcycle which led to his being in jail since 4.2.2022 (as stated in para-12 of the bail application).

Considering aforesaid facts as also mental condition of the petitioner and that he is in custody since 4.2.2022, the charge-sheet stands submitted and ultimately he has to face the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Chapra Town P.S. Case No. 77 of 2022 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/-

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