

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28201 of 2022

Arising Out of PS. Case No.-690 Year-2021 Thana- BIHAR District- Nalanda

SONU KUMAR Son of Sanjay Mistri Resident of Village - Mafo, P.S. -
Mehus, District - Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2022 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 case is registered under sections 399, 402, 414
of the Indian Penal Code in connection with S.T. No. 786 of
2021 arising out of Bihar P.S. Case Nol 690 of 2021.

As per the allegation in the FIR, the police upon
information about assembly of accused persons raided the place
and apprehended number of accused persons.

So far as this petitioner is concerned, it is alleged
that from him, one Samsung Mobile and a Pulsar Motorcycle
was recovered/seized in view of the fact that no valid paper was
produced by him.



Learned counsel for the petitioner submits that only because he has criminal antecedent, he has falsely been implicated in this case for which he has suffered by being in custody since 11.10.2021 (as stated in para-11 of the bail application). He lastly submits that similar placed co-accused has since been released on bail (Mohan Kumar) by a Coordinate Bench of this Court vide Cr. Misc. No. 8075 of 2022 on 25.7.2022.

Let the same be kept on record.

Taking into account the aforesaid fact that the petitioner is in custody since 11.10.2021, the charge-sheet stands submitted and one similarly placed co-accused has since been released on bail by a Coordinate Bench, 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 1st Additional Sessions Judge, Nalanda at Bihar Sharif, in connection with S.T. No. 786 of 2021 arising out of Bihar P.S. Case No. 690 of 2021 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) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) 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)

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