

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30107 of 2022

Arising Out of PS. Case No.-252 Year-2021 Thana- RAJAON District- Banka

SONU KUMAR SON OF BHAGIRATH YADAV R/O VILLAGE-
KATHCHAK, P.S.- RAJOUN, DISTRICT- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-08-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

As per prosecution story on the alleged date and time of the occurrence, informant, field staff of Spandana Sfurti Finance was going to Aamarpur after recovery of money and on the way, he was obstructed by three miscreants riding on a motorcycle and snatched his bag containing Rs 73,705/- and some important papers on the gun point.

The main submissions advanced by Sri Pankaj



Kumar, the learned counsel appearing for the petitioner are that the petitioner is not named in the FIR, during investigation petitioner was put on test identification parade before the informant who denied to identify the petitioner in the said parade, petitioner has been languishing in jail since 5.3.2022.

Sri Nirmal Kumar Sinha, learned APP appearing for the State has opposed the prayer for bail.

Having considered the above submissions and mainly taking into account that test identification parade conducted in jail in which petitioner was produced before the informant but he was not identified by the informant during said parade, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in Rajoun P.S Case No. 252 of 2021 on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the



Court below.

(2) 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.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

s.hassan/-

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