

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34845 of 2022

Arising Out of PS. Case No.-218 Year-2021 Thana- BHAGWANPUR District- Begusarai

SUNNY KUMAR S/o Dilip Paswan R/o village- Bagras, P.S.- Bhagwanpur,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The petitioner is in judicial custody in connection
with Bhagwanpur P.S. Case No. 218 of 2021 for the offences
under Section 414 of the Indian Penal Code and section 25(1-
b)a, 26 and 35 of the Arms Act.

As per the FIR, the police in course of patrolling
intercepted a motorcycle which tried to escape but was
apprehended, those who had occupied the motorcycle were
Vikram Kumar and Sunny Kumar (the petitioner herein). Upon
search from Vikram Kumar, one loaded pistol was recovered
with live cartridge. So far as the present petitioner is concerned,



the motorcycle that he was riding was checked and found that the chassis and engine number does not match with the registered number and upon enquiry, it was found that the same is being a stolen motorcycle. Accordingly, both of them were taken into custody.

Learned counsel for the petitioner submits that for the said alleged act, he has suffered a lot by being in custody since 01.11.2021 (as stated in paragraph 14 of the bail application).

Considering the fact that he is in custody since 01.11.2021, charge sheet stands submitted and ultimately he has to face the trial, this Court is inclined to grant him 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 Chief Judicial Magistrate, Begusarai in connection with Bhagwanpur P.S. Case No. 218 of 2021, subject to the following conditions:-

(i) one of the bailor should be the family member 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) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, 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)

Jagdish/Neha-

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