

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34208 of 2022

Arising Out of PS. Case No.-364 Year-2021 Thana- EKMA District- Saran

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Sunny Kumar Ram @ Synny Kumar Ram, Son of Ram Kishore Ram @ Gaya
Ram Resident of Village - Ekma, P.S.- Ekma, District - Saran at Chapra
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Ekma P.S. Case No. 364 of 2021 registered for
the alleged offences under Section 392 of the Indian Penal
Code.

As per prosecution case, four miscreants riding two
motorcycles dashed the motorcycle of the grandson of the
informant and snatched purse, mobile phone and Rs.5,000/-
along with motorcycle from the informant. The name of the



petitioner transpired as an accused during investigation.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the FIR and his name transpired only during investigation in the confessional statement recorded in some other case. No looted articles have been recovered from the conscious possession of the petitioner. Till date, no Test Identification Parade has been carried out. This shows there is no material to implicate the petitioner in the present case. Charge sheet has been submitted in this case and the petitioner is in custody since 11.01.2022. The learned counsel further submits that the petitioner has been made accused in altogether eleven cases but all the cases are from same police station and this shows highhandedness of the police in falsely implicating the petitioner in all such cases.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner is a habitual offender and is accused in a large number of cases.

Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that no recovery has been shown from this petitioner and further considering the submission of charge sheet and the period of



custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Saran at Chapra, in connection with Ekma P.S. Case No. 364 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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