

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44156 of 2021

Arising Out of PS. Case No.-242 Year-2020 Thana- SAHAR District- Bhojpur

SONU KUMAR @ SONU SINGH Son of Santosh Singh Resident of Village-
Nonaur, P.S.- Sabar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nihar Nandan Ambasta, Advocate.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner, who is in custody since 03.03.2021,
seeks regular bail in connection with Sahar P.S. Case No. 242 of
2020 for the offence punishable under Section 392 of the Indian
Penal Code.

The prosecution case, in brief, is that the informant
proceeded on his truck bearing Registration No. NL01SC1704
loaded with potatoes with his two associates and on seeing the
electric wire hanging from an electric pole, he stopped the truck.
Then three persons came there and on the point of pistol looted



Rs. 7000/- from the informant and his mobile set bearing mobile no. 7666140995. One of the accused persons was caught by the villagers and he disclosed his name as Anshu Kumar and his fleeing associates as Sonu Kumar (petitioner) and Suraj Sao.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case merely on suspicion. Petitioner was neither apprehended at the spot nor any incriminating article has been recovered from his possession. Chargesheet has been submitted against the petitioner. Petitioner is in custody since 03.03.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, period of custody of the petitioner as under trial prisoner, charge sheet has been submitted in this case and there is no allegation of tampering with the evidence or influencing the witnesses, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-XIV, Ara in connection with Sahar P.S. Case No.



242 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The petitioner will make his attendance in person before the concerned court every week till conclusion of the trial and on any single default on the part of the petitioner, his bail bonds shall be cancelled.

(Purnendu Singh, J)

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