

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47743 of 2021**

Arising Out of PS. Case No.-28 Year-2021 Thana- SOHSARAI District- Nalanda

SONU KUMAR S/o Shiv Prasad Varma R/o Mohalla- Chhotipahari, P.S.-
Sohsarai, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Nityanand, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 18-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Sohsarai P.S. Case No. 28 of 2021 instituted for the offence
under Section 392 of the Indian Penal Code later on Sections
395 and 412 of the Indian Penal Code were added.

Learned counsel for the petitioner submits that the
petitioner is in custody since 10.02.2021, is a person with clean
antecedent and charge-sheet has been submitted in this case.

The allegation is of committing dacoity in the house
of the informant in absence of her husband and by tying her son
while the informant was cooking. Further the accused looted
gold ornaments along with articles as detailed in the FIR.



Learned counsel for the petitioner submits that FIR is against unknown and name of this petitioner transpired in the confessional statement of co-accused Abhimanyu alias Mannu Kumar. Learned counsel further submits that though the impugned order and the case diary records that some of the looted articles were recovered at the instance of the accused persons which was identified by the informant but the order is completely silent with regard to the fact that at whose instance the looted articles were recovered. Learned counsel also submits that petitioner is a person with clean antecedent and petitioner has been falsely implicated and it was not at his instance that any looted articles were recovered.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that petitioner after being arrested has even confessed his role in the crime on which the learned counsel for the petitioner submits that confession before the police does not have any evidentiary value.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and charges have been framed, let the petitioner above named be released on bail, **only after the court below is satisfied that**



the charges against the petitioner have been framed, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Nalanda, Bihar Sharif in connection with Sohsarai P.S. Case No. 28 of 2021, subject to the condition that one of the bailors shall be the father of the petitioner.

(Satyavrat Verma, J)

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