

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46643 of 2021

Arising Out of PS. Case No.-198 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

SONU KUMAR Son of Rampravesh Ray Resident of Village - Madhopur
Hajari, P.S. - Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-02-2022 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 02.05.2021,
seeks regular bail in connection with Sahebganj P.S. Case No.
198 of 2021 for the offences punishable under Sections 399,
402, 413 and 414 of the Indian Penal Code and Sections 25(1-
b)a, 26 and 35 of the Arms Act.

The prosecution case, in brief, is that on complaint
received by SHO, Sahebganj Police Station about assembling of
some miscreants with an intention to commit crime, a raid was



conducted at Khurseda Urdu School at about 18:45 hours and five persons on two motorcycles who were trying to flee away were overpowered and in the presence of independent witnesses, country made pistol, live cartridges, mobile phones and other items were seized and accordingly seizure list was prepared.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus. He further submits that the petitioner is a young college going student having clean antecedent and he is in custody since 02.05.2021. Similarly situated co-accused persons namely Arvind Kumar, Arun Kumar and Ranjit Kumar have been granted bail by this Court vide order dated 04.02.2022 passed in Cr. Misc. No. 44157 of 2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that the petitioner was apprehended and from his possession a motorcycle was recovered.

Considering the aforementioned facts and circumstances of the case, the petitioner is a student having clean antecedent and taking into consideration his academic



career as well as period of custody undergone by the petitioner 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 ACJM-I, West, Muzaffarpur in connection with Sahebganj P.S. Case No. 198 of 2021, subject to the following conditions:-

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

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

(3) If the petitioners tamper 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 petitioners.

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

(Purnendu Singh, J)

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