

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53506 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- BARAUNI District- Begusarai

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Sunny Kumar @ Sunni Kumar @ Rajesh Kumar, Male aged about 25 years,
Son of Ashok Sah, Resident of Village - Bihat Jagir Tola, Ward No.24, P.S.-
Barauni, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-04-2022 Heard learned counsel for the parties.

The petitioner is in custody in connection with Barauni P.S. Case No. 58 of 2021 dated 03rd February, 2021 registered under Sections 399, 402, 412 of the Indian Pena Code and Sections 25(1-B) (a), 26 and 35 of the Arms Act.

As per the prosecution case, in course of patrolling, they chased and nabbed accused persons including the petitioner herein. Upon search, number of stolen articles were recovered from their respective possession. So far as the petitioner is concerned, one stolen motorcycle, mobile, country made pistol and live cartridges were recovered from his possession. A seizure list was prepared and he was taken into judicial custody after he failed to produce the documents relating to the articles



that were recovered from his possession.

Learned counsel for the petitioner submits that chargesheet has been submitted and he does not have any criminal antecedent, is in jail since 04.02.2021 (as stated in paragraph no. 9 of the bail application) and is further ready to abide by any terms and conditions imposed upon him, if granted, the privilege of bail.

Taking into consideration the aforesaid facts, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in connection with Barauni P.S. Case No. 58 of 2021, subject to the following conditions:

(i) as the petition states that the petitioner does not have any criminal antecedent the learned Trial Court shall satisfy itself on the said point before releasing him on bail;

(ii) the petitioner shall appear before the Trial Court on each and every date and failure to do so on two consecutive dates without plausible reason will entail cancellation of his bail by the trial Court itself;

(iii) he shall visit the local police station every fortnight for next six months;



(iv) one of the bailors should be the own family member of the petitioner who shall produce the official document to show his *bona fide*.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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