

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52755 of 2021**

Arising Out of PS. Case No.-63 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Sonu Kumar, Son Of Sanjay Thakur R/O Ramdiri Nakti Tola, P.S.- Matihani,
Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of 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 Nowkothi P.S. Case No. 63 of 2020 registered for the alleged offences under Section 392 of the Indian Penal Code.

The prosecution case is that motorcycle of the informant was looted by miscreants on gun point. Later on, the name of the petitioner came up as one of the accused persons during investigation.



The learned counsel for the petitioner submits that petitioner has been falsely implicated in this case and nothing incriminating has been recovered from his conscious possession. The petitioner is not named in the FIR and his name surfaced in confessional statement of co-accused. The looted motorcycle was recovered from the co-accused and there is no cogent material against this petitioner. The petitioner has not been put to Test Identification Parade till date. Charge-sheet has been submitted in this case and the petitioner is in custody since 24.09.2020.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedents.

Perused the record.

Having regard to the submissions made hereinabove and considering the fact that there is no recovery from this petitioner and further considering the fact that charge-sheet has been submitted and the petitioner is in custody since 24.09.2020, the petitioner above named 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 Judicial Magistrate 1st Class, Begusarai in connection with Nowkothi P.S. Case No. 63 of 2020, subject to



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)

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