

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49229 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- FALKA District- Katihar

Sonu Kumar, aged about 21 years, male, Son of Nathuni Mahato R/O Village-
Thuti Balua, Gurubazar, P.S.- Barari, District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajendra Prasad Sah, Adv.
For the Opposite Party : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-12-2022 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Falka PS
Case No. 104 of 2022 registered for the offence punishable
under Section 395 of the Indian Penal Code.

Six persons on motorcycles have surrounded the
informant and snatched away his motorcycle, cash, mobile
phone and ATM card etc.

Learned counsel for the petitioner submits that upon
confessional statement of co-accused, namely, Dilkhush, he has
been implicated. Such implication is unsustainable in law and
has led to no recovery of any incriminating material from the



petitioner. He has no criminal antecedents and he is in custody since 29-03-2022. The petitioner has also not been put on Test Identification Parade.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM III, Katihar, in connection with Falka PS Case No. 104 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel



would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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