

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60804 of 2021

Arising Out of PS. Case No.-116 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

SONU KUMAR Son of Banarash Ray Resident of Village- Keshopur, P.S.
and District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 27-07-2022 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 Sessions Trial No. 344 of 2021 arising out of Hajipur Sadar P.S. Case No. 116 of 2020 registered for the alleged offences under Sections 406, 420, 120B, 412 and 395 of the Indian Penal Code.

The prosecution case is that informant informed the police that his truck loaded with consumables went missing and showed his apprehension that driver and his associates looted his truck. Subsequently the name of the petitioner came up as



one of the co-accused persons involved in robbery of this truck.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He has earlier moved a petition for bail and same was rejected vide order dated 16.03.2021 passed in Cr. Misc. No. 37690 of 2020 probably due to the criminal antecedent of this petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 20.04.2020.

Learned APP for the State opposes the prayer for bail of the petitioner.

Though the petitioner was denied bail by a Coordinate Bench earlier, considering the pace of the trial, I am inclined to grant bail to this petitioner. Having regard to the facts and circumstances of the case, 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 Additional District Judge-IX, Vaishali in connection with Sessions Trial No. 344 of 2021, arising out of Hajipur Sadar P.S. Case No. 116 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.

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for 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.

The learned trial court will separate the trial of this petitioner, if it felt the need to do so.

(Arun Kumar Jha, J)

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