

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52325 of 2022

Arising Out of PS. Case No.-480 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

SONU KUMAR S/o Ramanand Saw Resident of village - Tehta, S.P. Verma
Road, P.S. Makhdumpur, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-12-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Makhdumpur (Tehta O.P.) P.S. Case No. 480 of 2020 registered
for the offences punishable under Sections 461, 379 of the
Indian Penal Code.

As per prosecution case, on the night of 21.12.2020
informant alongwith his family members was sleeping at his
home. When informant woke up, he found that Godrej was
open. On search he found that Rs. 35,000/- from Godrej, gold
jewelry, Rs. 5,000/- from his pocket and mobile of the
informant was missing.



Learned counsel for the petitioner submits that petitioner is in custody since 26.04.2022. Petitioner bears six criminal antecedents. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is not named in the F.I.R. Name of present petitioner has been surfaced in this case merely on suspicion. Thereafter, police remanded him in several cases as mentioned in para 3 of the bail petition. Nothing incriminating has been recovered from the conscious possession of the petitioner .

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner keeping in view criminal antecedents of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of the parties, nothing has been recovered from the conscious possession of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur (Tehta O.P.) P.S. Case No. 480 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(v) Petitioner shall not leave the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.



(vi) If petitioner violates any of the conditions, the court below is at liberty to cancel the bail bond of the petitioner.

(Alok Kumar Pandey, J)

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