

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52673 of 2022

Arising Out of PS. Case No.-51 Year-2022 Thana- AWTARNAGAR District- Saran

SONU KUMAR @ SONU KUMAR RAI Son of Biteshwar Rai R/V- Nayka
Tola, Bishunpura, P.S- Chapra Muffassil, Dist- Saran At chapra Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Sharda Kumari

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 Awatar
Nagar P.S. Case No. 51 of 2022 registered for the offences
punishable under Sections 392 of the Indian Penal Code.

As per prosecution case, it is alleged that three
miscreants came on motorcycle and surrounded the informant
and snatched mobile as well as motorcycle on the point of
pistol.

Learned counsel for the petitioner submits that
petitioner is remanded in this case on 18.07.2022 since then he
is in custody. Petitioner bears one criminal antecedent in which



he is on bail. 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. Petitioner has been remanded in this case from Chapra Muffasil P.S. Case No. 292 of 2022 and upon the self confessional statement his name has been implicated in the present case. Except self confessional statement there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Learned counsel further submits that confessional statement has no evidentiary value in the eyes of law. Nothing has been recovered from the conscious possession of the petitioner or from the house of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail 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 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saran in connection with Awatar Nagar P.S. Case No. 51 of 2022, 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.

(Alok Kumar Pandey, J)

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