

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54259 of 2022

Arising Out of PS. Case No.-73 Year-2021 Thana- ALAMNAGAR District- Madhepura

SONU KUMAR @ SUNNY S/o Shailendra Yadav @ Shalen Yadav @
Shalendra Yadav R/o village- Jhanjhari, P.S.- Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-12-2022 Heard Mr. Uday Chand Prasad, learned counsel for
the petitioner and learned APP for the State in Virtual Court
Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under section 392 of the
Indian Penal Code, in connection with Alam Nagar P.S. Case
No. 73 of 2021.

As per the prosecution story, the informant
alleged that as he was moving towards Kachari Tola, three
accused persons intercepted him and after abusing took away
his mobile, money as also the motorcycle. Accordingly, the



FIR was lodged.

The police investigated the matter and on the basis of confessional statement of one Rajeev Kumar, the petitioner was picked up.

Learned counsel for the petitioner submits that although he has been picked up and is in custody since 19.7.2021 (as stated in para-14 of the bail application), there has not been any recovery of the looted motorcycle from him or his house as he has narrated in para-11 of the bail application.

Learned APP appearing on behalf of the State has opposed the prayer for bail.

Taking into account the aforesaid facts as also the fact that he is in custody since 19.7.2021, charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail with strict condition in view of the fact that he has criminal antecedent of the same nature.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Udakishunganj, Madhepura, in connection with Alam Nagar P.S. Case No. 73 of 2021 subject



to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall leave his district(Madhepura) for a period of three months after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (where he/she will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at



liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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