

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54523 of 2022

Arising Out of PS. Case No.-256 Year-2022 Thana- MIRGANJ District- Gopalganj

SUNDRAM KUMAR SONI S/o Shivji Prasad R/o village- Harkhauli Purab
Tola, Ward No. 14, P.S.- Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra,Advocate
For the Opposite Party/s : Mr.Nirmal Kumar Sinha,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

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

The petitioner is an accused in connection with
Mirganj P.S. Case No. 256 of 2022 under Section 414/34 of the
Indian Penal Code and Sections 25(1-b)a/ 26(i)/ 35 of Arms Act.

As per the allegation, the informant upon knowledge
that the looted mobile is running in the name of one Satyam
Kumar reached his shop, the person sitting there was taken into



custody and upon search, from his possession mobile, laptop, laptop charger were recovered. The IMEI number of the mobile was same as that of looted one in Mirganj P.S. Case No. 229 of 2022. The petitioner also confessed to his crime as also that one Satyam Kumar and Afzal Hussain tried to loot and in the process had injured by firing.

Learned counsel for the petitioner submits that all these statements have been made before the police which do not have any evidentiary value. Further, he had no connection with the occurrence and due to inimical term, he has been picked up from the shop and implicated in this case. The last submission is that he is a young boy of 22 years and has been implicated only because of his criminal antecedent.

Considering his period of custody since 21.07.2022 (as stated in paragraph 1 of the bail application) as also that the charge sheet stands submitted, this Court is inclined to grant him privilege of bail subject to certain conditions in view of the fact that he has criminal antecedent.

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 Court of Additional Chief Judicial Magistrate-XV, Gopalganj in



connection with Mirganj P.S. Case No. 256 of 2022, 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 *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 by the Trial court itself;

(iii) the petitioner shall leave the district (Gopalganj) for a period of three month(s) 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 (of his residence) 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;

(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 his 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)

Jagdish/Neha/-

U		T	
---	--	---	--

