

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69467 of 2021**

Arising Out of PS. Case No.-57 Year-2021 Thana- RAHIKA District- Madhubani

Sonu Kumar @ Sonu Kumar Sah, Son of Shankar Sah Resident of Village-  
Korahiya, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                              |
|----------------------------|---|------------------------------|
| For the Petitioner/s       | : | Mr.Gagan Deo Yadav, Advocate |
|                            |   | Mr. Ravi Prakash, Advocate   |
| For the Opposite Party/s : |   | Mr.Tarun Prasad Mandal, A.G. |

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      27-09-2022                      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 Rahika P.S. Case No. 57 of 2021 registered for the alleged offences under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, four miscreants on two motorcycle looted Rs. 5,98,200/- from a vehicle which was returning to the office after collecting the money belonging to a Private Limited Company. The name of the petitioner transpired



as one of the accused persons during investigation.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case on the confessional statement of co-accused. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person or possession. The petitioner has not been put to any Test Identification Parade. Even during investigation, no substantive material has come up against the petitioner showing his involvement in the alleged occurrence. Charge sheet has been submitted in this case and the petitioner is in custody since 16.07.2021.

Learned APP for the State opposes the prayer for bail of the petitioner though he concedes that except for confessional statement of the co-accused, nothing material has been found by the investigating agency against this petitioner. Learned APP further submits that the petitioner is having a number of criminal cases pending against him.

Perused the records.

Having regard to the facts and circumstances and submission made and considering the submission of charge sheet along with period of custody of the petitioner, 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 Judicial Magistrate, Ist Class, Madhubani in connection with Rahika P.S. Case No. 57 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (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 on 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.

**(Arun Kumar Jha, J)**

Gautam/-

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