

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20373 of 2023

Arising Out of PS. Case No.-432 Year-2022 Thana- PIRO District- Bhojpur

Sonu Kumar, Gender-Male, Aged about 20 years, S/o Laljeet Yadav @ Laljeet Singh, R/o Village and P.S.- Pawana, Distt.- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amarendra Kumar, Advocate
For the Opposite Party : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Piro P.S. Case No. 432 of 2022 dated 06.08.2022, instituted for the offence punishable under Section 395 of the Indian Penal Code.

3. As per allegation, some unknown miscreants committed robbery of Rs. 54,000/- and a mobile phone from petrol pump of the informant. They damaged the installed CCTV cameras and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is not named in the F.I.R and the same has been lodged against unknown persons. The name of the petitioner transpired in this case only



on the basis of confessional statement of another co-accused, namely, Suraj Kumar @ Dhupa Kumar. No incriminating / looted article has been recovered from the conscious possession of the petitioner. Till date, no ***Test Identification Parade (T.I.P.)*** has been conducted. It is further submitted that another co-accused, namely, Vicky Kumar, Golu Kumar and Deepak Kumar have already been granted bail by a Co-ordinate Bench of this Court *vide Order dated 21.03.2023, 28.04.2023 and 11.05.2023* passed in ***Criminal Miscellaneous No. 73887 of 2022, Criminal Miscellaneous No. 1659 of 2023 and Criminal Miscellaneous No. 16698 of 2023*** respectively. Lastly, it has been submitted that the petitioner is in custody since 29.08.2022, charge-sheet has been submitted in the case and he has five criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in Piro P.S. Case No. 432 of 2022, subject to the



following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- (2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
- (3) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
- (4) 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.

(Khatim Reza, J)

Gaurav Kumar/-

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