

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27067 of 2023

Arising Out of PS. Case No.-810 Year-2020 Thana- SARAIYA District- Muzaffarpur

SONU KUMAR SON OF RAMADHIN MAHTO @ RAMDHIN MAHTO
R/O VILLAGE- AMAITHA MANGOSAR, P.S.- SARAIYA (O.P. JAIPUR),
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore
		Ms. Rupa Kumari
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-04-2023 Heard the parties.

The petitioner seeks regular bail in connection with Saraiya P.S. Case No. 810 of 2020 (O.P. Jaintpur), G.R. No. 4190 of 2020 dated 12-12-2020 registered for the offence under Section 392 of the I.P.C.

This is the second attempt on behalf of the petitioner for grant of regular bail. Earlier the prayer for regular bail of the petitioner was rejected by this Court vide order dated 12-04-2022 passed in Criminal Misc. No. 3991 of 2022 giving liberty to the petitioner to renew his prayer for bail after six months from the date of order if the trial does not show any progress.

The allegation as per the First Information Report is



that the informant was intercepted by three unknown miscreants riding on a motorcycle without any number plate and they assaulted the informant by means of Butt of the pistol and took away motorcycle, Samsung mobile, purse containing ATM Card, PAN Card, Aadhaar Card, cash totaling Rs. 15,000/-, documents and laptop of the informant.

Learned counsel for the petitioner submits that the petitioner has renewed his prayer for bail as observed by this Court. He further submits that the petitioner is in custody since 06.02.2021 and the trial has not yet commenced. He further submits that no looted article has been recovered from the possession of the petitioner and the petitioner has also not been put on T.I.P. He next submits that similarly situated co-accused / Abhinandan Sahni @ Kallu has been enlarged on bail by this Court in Cr. Misc. No. 3899 / 2023 by order dated 22/02/2023.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner is in custody since 06.02.2021, no looted article has been recovered from the conscious possession of the petitioner, the petitioner has not been put on Test Identification Parade, this is second attempt on behalf of the petitioner for grant of regular bail and similarly situated co-accused / Abhinandan Sahni @ Kallu has



been granted the privilege of bail, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, West, Muzaffarpur in connection with Saraiya P.S. Case No. 810 / 2020 (O.P. Jaintpur) subject to the condition that the petitioner - Sonu Kumar shall remain present before the trial court as and when required and in the event of failure on his part to appear before the trial court on two consecutive dates his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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