

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25842 of 2023

Arising Out of PS. Case No.-10 Year-2022 Thana- SARAIYA District- Muzaffarpur

Sonu Kumar Son Of Bigu Singh Resident Of Village - Bahilwara, Bhual
Dakshini, P.S. - Saraiya, Distt. - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Pranav Kumar, Advocate
	:	Mr. Rajeev Ranjan No.II, Advocate
	:	Ms. Priyanka Kumari, Advocate
For the Opposite Party	:	Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Saraiya P.S. Case No. 10 of 2022 dated 04.01.2022, instituted for the offences punishable under Sections 307, 395 and 397 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on 04.01.2022, at about 02:45 pm, six unknown miscreants looted Punjab National Bank, Bashantpur Patti Branch by wrongfully confining the Bank's staff on gun point and thereafter fled away with looted money.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and he has falsely been implicated in this case. It is submitted that the petitioner is not named in F.I.R. and he has been made accused in this case only on the basis of confessional statement of co-accused, namely, Vikash Kumar. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has been arrested in Saraiya P.S. Case No. 234 of 2022 on 18.04.2022 and remanded in the present case on 01.07.2022, since then he is in Jail. Further, it is submitted that no Test Identification Parade (T.I.P.) has been conducted till date. Lastly, it has been submitted that charge-sheet has been submitted in the case and he has three other 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 A.C.J.M.-IV (West), Muzaffarpur in Saraiya P.S. Case No. 10 of 2022 subject to the following conditions:-



i. 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.

ii. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

iii. 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.

iv. 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)

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