

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26794 of 2023

Arising Out of PS. Case No.-398 Year-2022 Thana- ATRI District- Gaya

SONU KUMAR Son of Sri Kamlesh Yadav Resident of village - Mundo
Bigha, P.S. - Atari, Distt. - Gaya

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Atari P.S. Case No. 398 of 2022 registered for the offences punishable under Sections 395/427 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, the petitioner along with other co-accused persons have jointly committed dacoity and took away Rs. 6500/- from the informant at gun point on highway.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has otherwise no criminal antecedent.

5. Learned APP for the State has opposed the prayer



for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstance of the case, wherein it is submitted that the name of the petitioner has transpired in the confessional statement of the co-accused in the police custody, there is no recovery from the house of the petitioner and the petitioner has otherwise no criminal antecedent, there is no identification of the petitioner also, hence, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Atari P.S. Case No. 398 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition that the petitioner shall present himself before the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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