

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27985 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- MANJHAGARH District- Gopalganj

Sonu Gupta @ Sonu Sah @ Bishwajeet Kumar Son Of Bhola Sah Resident
Of Village- Ramgarh, Police Station- Siswan, Chainpur, Op, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Tr. No. 43 of 2022 arising out of Manjhagarh P.S. Case No. 194
of 2022 lodged under Sections 399/ 402/ 414/ 420/ 467/ 468/
471 of the I.P.C. read with Sections 25(1-b)a/ 26/ 35 of the Arms
Act and Sections 20/ 22/ 24 of the N.D.P.S. Act.

4. As per the prosecution case, the present case has
been filed against seven named accused persons including the
petitioner. From the allegation, it transpires that total recovery
of 1.601 kg *Charas* has been made, which is the subject matter
of the present case.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that from the contents of the F.I.R., it transpires that total three accused persons were apprehended from the place of occurrence. Petitioner has not been apprehended from the place of occurrence rather his name has come in this case by virtue of the confessional statement of the apprehended persons.

6. Counsel submits that petitioner is in custody since 22.10.2022. He also submits that one criminal case is pending against the petitioner in which he is on bail. He further submits that all the three apprehended accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 21.02.2023, 18.05.2023 and 30.05.2023 passed in Cr. Misc. No. 64427 of 2022, Cr. Misc. No. 21479 of 2023 and Cr. Misc. No. 20724 of 2023 respectively.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gopalganj in connection with Tr. No. 43 of 2022 arising out of Manjhagarh

P.S. Case No. 194 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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