

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32759 of 2023

Arising Out of PS. Case No.-201 Year-2022 Thana- SHRIKRISHNAPURI District- Patna

SONU @ SONU KUMAR @ DURUPAYWA son of Ashok Das @ Ashok Kumar Das Village- Mogalpura Chatta Tar (Chhata Tal) patna City, Ps- Khajekala Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail, who is in custody since 25.05.2022, in connection with Shri Krishnapuri P.S. Case No. 201 of 2022 corresponding to Sessions Trial No. 1381 of 2022, F.I.R. dated 24.05.2022 registered for the offences punishable under Sections 399/402 of the Indian Penal Code and Section 25(1-b)/26/35 of the Arms Act.

Earlier the petitioner moved before the Hon'ble Court for grant of bail in Cr. Misc. No. 63821 of 2022 which was permitted to be withdrawn with liberty to file a fresh application and thereafter the petitioner has filed a fresh application.

Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that one cutter machine was recovered from the possession of the petitioner and the arms has been recovered from the other co-accused persons. He further submits that the other co-accused person namely Subham Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 24.12.2022 passed in Cr. Misc. No. 48231 of 2022, another co-accused person namely Deepak Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 14.02.2023 passed in Cr. Misc. No. 53819 of 2022, another co-accused person namely Prasun Kumar Chandravanshi has been granted bail by a Coordinate Bench of this Court vide order dated 24.03.2023 passed in Cr. Misc. No. 56483 of 2022, another co-accused person namely Pankaj Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 06.04.2023 passed in Cr. Misc. No. 63262 of 2022 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 25.05.2022.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the



ground that the petitioner carries thirteen cases other than the present one but fairly submits from paragraph-3 of the petition that out of thirteen (13) cases, petitioner is on bail in five (05) cases.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. XIII, Patna in connection with Shri Krishnapuri P.S. Case No. 201 of 2022, corresponding to Sessions Trial No. 1381 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 shall remain physically present as directed 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) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

(Rajesh Kumar Verma, J)

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