

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38528 of 2023

Arising Out of PS. Case No.-371 Year-2022 Thana- PATNA GRP CASE District- Patna

SONU KUMAR @ SHAMBHU @ SONU @ SHAMBHU KUMAR Son of
Late Bhusan Rai Resident of Village- Dadar Mandi, Naya Tola, Ward No. 57,
PS- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2023 On call, no one appears on behalf of the petitioner
although learned APP for the State is present.

The petitioner is an accused in connection with Patna Junction (Rajendranagar) P.S. Case No. 371 of 2022 registered for the offences under sections 379, 411, 414 and 34 of the Indian Penal Code lodged on 01.07.2022 by the informant, Shailendra Kumar.

The prosecution story, in brief, is that when the informant was taking ticket from the counter at Rajendra Nagar Railway Station, in the mean time, two miscreants took his mobile phone and tried to escape. As the informant raised alarm, the police reached and caught the miscreants. The apprehended miscreants disclosed their names as accused/petitioner Sonu



Kumar @ Shambhu & co-accused Akhilesh Kumar. On search, the alleged stolen mobile phone and two other android mobile phones were recovered from the possession of the accused/petitioner Sonu Kumar @ Shambhu and one other Mobile phone has been recovered from the possession of the co-accused Akhilesh Kumar. Accordingly, two seizure lists have been prepared. On interrogation, they told that alleged mobile phones were stolen by them from Patna Jn. and Rajendra Nagar Railway Station. Thus, the FIR.

Considering the fact that the petitioner is a student, is in custody since 02.07.2022 (as stated in paragraph 8 of the bail application) and will ultimately face the trial, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned J.M., Railway, Patna in connection with Patna Junction (Rajendranagar) P.S. Case No. 371 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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