

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47159 of 2022

Arising Out of PS. Case No.-31 Year-2021 Thana- ASARGANJ District- Munger

Niraj Kumar Sonu, Son of Late Rajendra Prasad Singh, R/v- Madheri, P.S-
Kharagpur, Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Asarganj
P.S. Case No.31 of 2021 registered for the offence punishable
under Section 395 of the Indian Penal Code.

The informant-Branch Manager has lodged the case.
It is stated that 5-6 miscreants have entered into the Bank,
confined the persons and have decamped with cash of an
amount slightly about 5.5 lacs rupees.

Learned counsel for the petitioner submits that since
the petitioner has criminal antecedents, he has been roped in
these proceedings on alleged statement of co-accused Suraj
Kumar. It is submitted that, in fact, Suraj Kumar has stated
about complicity of another person, namely, Sonu Kumar, son of



Anil Singh, whereas the petitioner, who is known as Niraj Kumar Sonu and has a different address from what has been stated by the co-accused, has been implicated. He is on bail in ten cases pending against him. In the instant case, he is in custody since 14.06.2022. Co-accused Bittu Kumar @ Bittu has been allowed bail in Cr.Misc. No.33634 of 2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, based on parity with similarly situated co-accused and the period of custody, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Munger. in connection with Asarganj P.S. Case No.31 of 2021, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is



related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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