

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57160 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- SOHSARAI District- Nalanda

SONU KUMAR Son of Gauna Gope Resident of Village- Kakharh
(Mandachh), P.S- Noor Sarai, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 394 of the Indian Penal
Code.

According to prosecution case, on 20.04.2022 at about
20.05 O'clock, when the informant was going to his native
village on his motorcycle and reached near Shree Ram Petrol
Pump, three persons came on motorcycle and surrounded him
from front side, due to which he fell down. Thereafter the
miscreants pulled him and taken him towards N.H.20 and on the
point of pistol snatched his mobile and cash of Rs.2000 from his
bag.

Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of the self confessional statement of the petitioner. One motorcycle has been recovered near the house of the petitioner and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.05.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Sohsarai P.S. Case No. 105/2022, 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 witnesses, 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 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.

(Rajesh Kumar Verma, J)

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