

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54722 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- ALOULI District- Khagaria

SONU KUMAR @ SONU SHARMA S/O PAWAN SHARMA R/O
VILLAGE- ASHOK NAGAR WARD NO. 15, PS. CHITRAGUPTA
NAGAR, DIST. KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard the parties.

The petitioner is an accused in connection with Alouli P.S. Case 35 of 2023 registered for the offences under sections 414 of the Indian Penal Code and section 25(1-b)a, 26 and 35 of the Arms Act lodged on 31.01.2023 by the informant, Niranjana Kumar.

As per the prosecution story, the police on suspicion apprehended accused persons and amongst other from the petitioner, country made pistol and one live cartridge was recovered/seized. Accordingly, the FIR.

It is the case of the petitioner that the police has implicated him only because he has criminal antecedent and is in custody since 01.02.2023 (as stated in paragraph 6 of the bail



application).

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the submissions put forward by the learned Counsel for the petitioner as also that he has remained in custody since 01.02.2023, FIR lodged 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 Thousands only) with two sureties of like amount each to the satisfaction of the learned Court of Judicial Magistrate Ist Class, Khagaria in connection with Alouli P.S. Case No. 35 of 2023, 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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