

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61562 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Sonu Kumar @ Sonu Chaudhary S/O Arun Chaudhary Resident Of Village
Sikandara Ps Sikandara District Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
13.07.2023, in connection with Sheikhopur-Sarai P.S. Case No.
46 of 2023, F.I.R. dated 21.03.2023 registered for the offences
punishable under Section 379 of the Indian Penal Code.

3. The F.I.R. of the occurrence of theft is against
unknown.

4. 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 the petitioner is not
named in the F.I.R. and the name of the petitioner has been
transpired during investigation on the basis that the petitioner



was arrested along with the co-accused person with the motorcycle in question along with illicit liquor for which Lachuyad P.S. Case No. 40 of 2023 was registered and thereafter the petitioner was remanded in the present case from Lachuyad P.S. Case No. 40 of 2023 on 13.07.2023.

5. The learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the petition that the petitioner is on bail in the said case.

6. Considering the 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 Chief Judicial Magistrate, Sheikhpura in connection with Sheikhopur-Sarai P.S. Case No. 46 of 2023, 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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