

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59279 of 2022

Arising Out of PS. Case No.-209 Year-2020 Thana- BUDDHACOLONY District- Patna

SONU @ SONU KUMAR, S/o Ashok Kumar Das, R/o- Mogalpura, Chatta
Tar (Chhata Tal), Patna City, P.S.- Khajekala, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 457 and 380 of IPC.

The allegation is regarding theft having been
committed in the house of the informant and jewelry etc. were
stolen therefrom.

Learned counsel appearing for the petitioner submits
that he has falsely been implicated in the present case due to
village politics. The name of the petitioner has surfaced on the
basis of confessional statement of co-accused namely, Vikash
Kumar. Similarly situated co-accused namely Chohtu Kumar
vide order dated 13.12.2021 passed in Cr. Misc. 31021 of 2021
and Vikash Kumar vide order dated 07.01.2022 passed in Cr.



Misc. No. 37131 of 2021 have been granted bail by the co-ordinate bench of this court. No incriminating article has been recovered from the conscious possession of the petitioner and no T.I.P. has been held up till now and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 13.06.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries more four criminal antecedent other than the present one.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Budha Colony P.S.Case No.209 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her 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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