

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63208 of 2022

Arising Out of PS. Case No.-212 Year-2020 Thana- BUDDHACOLONY District- Patna

SONU @ SONU KUMAR S/o Ashok Das @ 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.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-04-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Budha
Colony P.S. Case No. 212 of 2020 registered for the offence
under Sections 457 and 380 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 13.06.2022.

The allegation against the petitioner is to commit theft
in the chamber of informant, along with other co-accused
persons, and while committing so taken away cash of Rs.



38,000/- and other articles as available in possession of informant.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner implicated falsely in this case purely on the basis of confessional statement of co-accused, Vikash Kumar, having no recovery of incriminating material. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that petitioner found involved in four (4) cases, where he is on bail and, moreover, investigation of this case is completed, for which, charge-sheet has submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as save and except confessional statement, no incriminating material recovered/surfaced, during the course of investigation, which may connect this petitioner, *prima facie*, with the alleged occurrence of theft coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Budha Colony P.S. Case No. 212 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of learned Additional
Chief Judicial Magistrate-II, Patna/concerned Court, subject to
the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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