

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.64508 of 2023**

Arising Out of PS. Case No.-302 Year-2023 Thana- TAJPUR District- Samastipur

Sonu Thakur @ Sonu Kumar @ Dharamveer Thakur Son of Surendra Thakur  
@ Bamki Thakur R/o vill - Chakmahdin, P.S. - Jandaha, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**

ORAL ORDER

3      20-12-2023                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Tajpur P.S. Case No.302 of 2023, F.I.R. dated 31.05.2023 registered for the offence punishable under Sections 392 of the Indian Penal Code.

3. As per the prosecution story, while he was on a move on a motorcycle along with his sister-in-law, stoped to attend nature's call, the accused came and after assaulting took away their ornaments as also mobile but when they tried to escape, the mobile got dropped on the road. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and during the course of investigation his name has been transpired in this case on the basis of the confessional statement of co-accused person namely Ranjeet Ray and the looted mobile has been recovered from the possession of co-accused and the petitioner has no concern with the co-accused person. He further submits that except the confessional statement of co-accused person, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State, on the other hand on the basis of material available in the case diary vehemently opposed the prayer for anticipatory bail of the petitioner and submits that petitioner carries two criminal antecedents other than the present one, but fairly submits that out of two cases petitioner is on bail in one case and fairly submits that nothing has come during investigation to suggests the involvement of the petitioner in the present occurrence except the confessional statement of the co-accused person.

6. Considering the aforesaid facts, let the petitioner,



above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory 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 Additional Chief Judicial Magistrate, Ist Class, Samastipur in connection with Tajpur P.S. Case No.302 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) 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 bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory bail.

(iii) 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 anticipatory 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)**

Prakash Narayan

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