

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63278 of 2022

Arising Out of PS. Case No.-233 Year-2021 Thana- EKMA District- Saran

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SUNNY KUMAR RAM S/O RAM KISHORE RAM @ GAYA RAM R/v-
Ekma, P.S.- Ekma, District- Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is an accused in connection with Ekma
P.S. Case No. 233 of 2021 under Section 394 of the Indian
Penal Code lodged on 12.06.2021 by the informant, Sanjit
Kumar Singh @ Sonu.

The prosecution case, in brief, is that one Sanjeev
Kumar Singh @ Sonu gave application to the Station House
Officer Ekma to the effect that on 10.06.2022, the Informant
was returning to his house after dropping his niece at Siwan
then at about 08:30 P.M. three motorcycle borne accused
persons assaulted him with knife at Rajapur Pul Ekma Tajpur
Road and one person took away his mobile phone on the point
of gun. Thereafter, the informant after calling his family
members went to Ekma Hospital for his treatment. Accordingly,



the FIR.

It has been submitted by the learned counsel for the petitioner that only because he has criminal antecedent, he is being repeatedly roped in one or the other case which would reflect from the fact that most of the cases arises out of Ekma Police station. He further submits that though his name has come on the confessional statement, but nothing has been recovered from his conscious possession nor T.I. Parade has been done.

Learned Counsel for the State opposes the prayer for bail.

Considering the period of custody i.e. 06.01.2022 (as stated in paragraph-15 of the bail application) as also the fact that no T.I. Parade has been done nor nothing has been recovered from his conscious possession, this Court is inclined to extend him privilege of bail subject to certain conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Saran at Chapra in connection with Ekma Police Station Case No. 233 of 2021, 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.

(Rajiv Roy, J)

Jagdish/Neha-

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