

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64923 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- PANDARAK District- Patna

SONU KUMAR Son of Surendra Ray @ Bhokhu Yadav R/V- Gopkita, P.S-
Pandarak, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2023 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 Section 414 of Indian Penal Code.

The case relates to theft of iron rod of Gangotri
Company nearby village Gopkita. One Mahindra Company
Tractor alongwith tellor containing 20 pieces iron rod, two
pieces gas cylinder, one bronze gas cutter, one Splender
Motorcycle and one Passion Pro motorcycle seized from the
place of occurrence. Arrested person not produced any valid
document and replied satisfactorily.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case only on the basis of disclosure



made by co-accused person. Further submits that the petitioner was not arrested on the spot and nothing has been recovered from conscious possession of the petitioner and the petitioner has no concern at all with the alleged occurrence and the co-accused person, namely, Amit Kumar has been granted bail by the learned court below itself vide order at Annexure-2 to this bail petition and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 17.08.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

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 Pandarak P.S. Case No. 22 of 2022 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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