

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15049 of 2024

Arising Out of PS. Case No.-202 Year-2023 Thana- PRANPUR District- Katihar

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Sanoj Kumar @ Sanju Son of Jay Kant Mandal R/o- Dhanpara, P.S.- Pranpur,
Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Pranpur
P.S. Case No. 202 of 2023 dated 13.10.2023 registered for the
offence punishable under Sections 394, 411 of the Indian Penal
Code and Sections 25(1-b) a, 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, three persons came on
motorcycle and stopped the informant by overtaking and
snatched informant's mobile, bank receipt and diary on the point
of gun and fled away.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is submitted that petitioner is not named in the F.I.R. and
there is no recovery from the conscious possession of the
petitioner. It is submitted that one country made pistol, mobile



and one misfired cartridge have been recovered from the possession of the petitioner. It is submitted that petitioner was apprehended with illegal wine thereafter one Pranpur P.S. Case No. 203 of 2023 was instituted under Section 30(a) of the Bihar Prohibition and Excise Act and then the petitioner has been remanded in the present case from that case. It is submitted that neither any looted articles nor any incriminating articles have been recovered from the possession of the petitioner. It is also submitted that till date no T.I.P. has been conducted to identify the petitioner. Another accused person, namely, Shakil Ahmad @ Tinka has been granted bail by a Co-ordinate Bench of this Court vide order dated 22.02.2-024 passed in Criminal Miscellaneous No. 10764 of 2024. Lastly, it has been submitted that the petitioner is in custody since 15.10.2023, having one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned C.J.M., Katihar in connection with Pranpur P.S. Case No. 202 of 2023, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- 2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
- 3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
- 4. 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.

(Khatim Reza, J)

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