

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 17688 of 2024**

Arising Out of PS. Case No.-224 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Sonu Ansari Son of Amruddin Ansari Resident of Village- Sareyai Badruhan,
P.S.- Dumariya Ghat, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Abhishek Kumar, Advocate

For the Opposite Party/s : Mr Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR JUSTICE KHATIM REZA

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2 The petitioner apprehends arrest in connection with
Baikunthpur PS Case No 224 of 2019 dated 20.08.2019
instituted under Sections 461, 379 of the Indian Penal Code.

3 The prosecution case is that there was theft in the
shop of the informant.

4 The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case. It is submitted that the petitioner has not been named in
the FIR and only on the basis of confessional statement of co-
accused Chandan Sah, the petitioner has been made accused in
this case. No incriminating articles were recovered from the



possession or from the house of the petitioner. It is also submitted that the petitioner has no criminal antecedent.

5 Learned APP has opposed the prayer for bail.

6 Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 01st Class, Gopalganj in Baikunthpur PS Case No 224 of 2019 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973, and further (i) that the petitioner shall cooperate 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, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and/or his wife, (iii) that 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, and (iv) that 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.

7 The application stands allowed.

(Khatim Reza, J)

M.E.H./-

U		T	
---	--	---	--

