

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19887 of 2024

Arising Out of PS. Case No.-253 Year-2023 Thana- BELDOUR District- Khagaria

Sonu Kumar Son Of Bablu Sah @ Bablu Kumar Sah Resident Of Village -
Beldau, R.P.S. - Beldaur, District - Khagaria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-03-2024 Heard Mr. Anuj Kumar, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
09.12.2023 in connection with Beldaur P.S. Case No. 253 of
2023, F.I.R. dated 14.09.2023 registered for the offence
punishable under Sections 341, 323, 379, 354(B), 307, 504, 506/34
of IPC.

3. Learned counsel appearing for the petitioner
submits that the petitioner has been granted anticipatory bail
vide order dated 10.01.2024 passed in Cr. Misc. No. 81593 of
2023 but the learned counsel for the petitioner has not informed
this Court that during pendency of the anticipatory bail petition
the petitioner was arrested on 09.12.2023.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that there is case and counter case between the parties and the present occurrence had taken place on account of scuffle between their children and from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner and the co-accused persons, namely, Sarita Devi and others (except Sonu Kumar) have been granted privilege of anticipatory bail by this Court vide order dated 10.01.2024 passed in Cr. Misc. No.81593 of 2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 09.12.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, 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 Judicial Magistrate-1st Class, Khagaria in connection with Beldaur P.S. Case No. 253 of 2023, with the 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(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 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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