

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20762 of 2024

Arising Out of PS. Case No.-188 Year-2023 Thana- BARHIYA District- Lakhisarai

Sonu Kumar S/O Sukhnandan Ray @ Sukhnandan Prasad R/O Vill - Naya
Tola Dedaur, P.S. - Bakhtiyarpur, Dist. - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Barahiya P.S. Case No.188 of 2023, lodged on 02.08.2023,
under Sections 414/420 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged
against three named accused persons including the present
petitioner from whose possession the motorcycle, subject to
theft, was recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the petitioner is in custody since 03.08.2023.
Counsel submits that the antecedent of the petitioner is not clean
and is accused in one more criminal case. He further submits



that the offences in which case has been lodged against him are Magisterial triable.

5. Learned counsel for the State opposes the prayer for bail and submits that motorcycle subject to theft has been recovered from the possession of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Barahiya P.S. Case No.188 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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 bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned



police station every month for 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J)

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