

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34863 of 2024

Arising Out of PS. Case No.-61 Year-2015 Thana- PHENHARA District- East Champaran

SANNY KUMAR SINGH @ SANNY SINGH @ SUNNY KUMAR SINGH
@ SUNNY SINGH SON OF UMESH PRASAD SINGH @ UMESH SINGH
RESIDENT OF VILLAGE - BANJARIYA, P.S. - MADHUBAN, DISTRICT
- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 392/34 of the Indian Penal Code but the chargesheet has been submitted under Sections 392, 398, and 102B of the Indian Penal Code, Section 17 of the C.L. Act and Sections 10 and 13 of the U.P. Act.

3. The allegation in the FIR is that eight unknown miscreants committed loot of the motorcycle of the informant bearing registration no.BR05Q 7975 after assaulting him.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case.



He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring his confessional statement of the co-accused which has no evidentiary value in the eye of law. Co-accused, namely, Dippu Singh @ Dippu Kumar Singh has been enlarged on bail by this court vide order dated 28.10.2021 passed in Cr. Misc. No. 28200 of 2021. The petitioner has seventeen criminal antecedent and has been remanded in present case on 02.01.2024.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Fenhara P.S. Case No.61 of 2015, subject to the following conditions :

(i) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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