

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39769 of 2024

Arising Out of PS. Case No.-1365 Year-2022 Thana- PHULWARISHARIF District- Patna

Sonu Kumar Singh son of Shiv Puran Singh Village- Nayagaon Ps- Nayagaon
Dist-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

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

2. The petitioner seeks bail in Phulwarisharif P.S.
Case No. 1365 of 2022, instituted for the offences punishable
under Section 394 of the Indian Penal Code.

3. The prosecution case, in short, is that, four
unknown miscreants have assaulted the informant, abused him
and, thereafter, on the point of pistol, looted cash to the tune of
Rs. 27,000/- and also snatched Rs. 7,000/- along with his purse
containing his driving license.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. The petitioner is not named in the F.I.R. and the name of the petitioner has transpired on the basis of confessional statement of co-accused Vikash Kumar which has no evidentiary value. No TIP has been conducted by the police in this case. The petitioner is in custody since 08.02.2023 and has got four criminal antecedents in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail this Court vide order dated 01.03.2024 passed in Cr. Misc. No. 12248 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulwarisharif P.S. Case No. 1365 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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