

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40448 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- TARAIYA District- Saran

Sonu Singh @ Sonu Kumar Son of Dinesh Singh Resident of Village-
Bishunpur Jagdish, P.S- Marhowrah, Dist-Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2024 Heard Mr. Anil Kumar Tiwary, learned counsel for
the petitioner and Mr. Nand Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
23.03.2024, in connection with Taraiya P.S. Case No. 140 of
2023, F.I.R. dated 13.05.2023 registered for the offences
punishable under Sections 341, 323, 364, 386, 504/34 of the
Indian Penal Code.

3. The F.I.R. of the occurrence of *Randgari* is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and name of the petitioner has been transpired
during investigation on the basis of confessional statement of
co-accused person and self confessional statement of the



petitioner and apart from the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that till date no test identification parade was conducted by the prosecution and from perusal of the F.I.R. as well as other development document it appears that nothing has been recovered from the conscious possession or the house of the petitioner rather recovery has been made from other co-accused person and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 23.03.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Saran at Chapra in



connection with Taraiya P.S. Case No. 140 of 2023, subject to the following conditions :-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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