

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40188 of 2024**

Arising Out of PS. Case No.-15 Year-2024 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

Sonu Kumar @ Sonulal Son of Late Shankar Prasad R/O Vill.- Bullachak
Barbigha, P.S.- Barbigha, Dist.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pranav Kumar, Advocate
	:	Mr.Rajeev Ranjan No. II, Advocate
	:	Mrs.Priyanka Kumari, Advocate
	:	Mrs.Kumari Rupa, Advocate
For the Opposite Party/s	:	Mr.Suresh Prasad Singh, 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 connection with
Sheikhopur Sarai P.S. case No. 15 of 2024 instituted for the
offences under Sections 379, 411, 34 of the Indian Penal Code.

3. As per the prosecution case, the accusation against
the accused persons including the petitioner is of committing
theft of electric wire from the Power Grid situated at village
Onama, Sheikhpura. It is alleged that the petitioner was



apprehended on the spot and the stolen electric wire was recovered from his possession.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case due to ulterior motive. Learned counsel further submitted that petitioner has not committed any offence as alleged in the FIR. No incriminating article has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. which creates doubt over the prosecution story. The co-accused person has already been granted bail by this Bench vide order dated 21.05.2024 passed in Cr. Misc. No. 37422 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.02.2024 and has no criminal antecedent.

5. Learned A.P.P. 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, clean antecedent, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of



Rs.10,000/- (Ten thousand) with two sureties of the like amount
each to the satisfaction of Court below/concerned Court in
connection with Sheikhopur Sarai P.S. case No. 15 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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