

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44291 of 2024

Arising Out of PS. Case No.-517 Year-2023 Thana- CHHATAUNI District- East Champaran

Sonu Kumar S/o Birendra Prasad Yadav @ Birendra Rai @ Virendra Prasad
Yadav R/o Village-Bijdhari, P.S.-Kesariya, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar
		Mr.Hemant Ray, Advocates
For the Opposite Party/s :		Mr.Dinesh Singh, APP

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

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chhatauni P.S. Case No. 517 of 2023 instituted for the offences under Sections 394, 414, 120B of the Indian Penal Code and Sections 25(1-b)a, 9, 26 and 35 of the Arms Act.

3. Prosecution allegation, in short, is that on secret information, police raided the place of occurrence. Seeing the police party, the accused persons tried to flee away but three of the accused persons were apprehended. On search, a dagger knife lashed with small torch, mobile phone, one motorcycle and other articles were recovered from co-accused persons.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Petitioner was not apprehended on spot. The name of the petitioner has come into light on the basis of confessional statement of apprehended co-accused. The petitioner has got no concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. Moreover, it is submitted that the other co-accused has already been granted bail by this Court vide order dated 29.01.2024 passed in Cr. Misc. No. 3581 of 2024. The petitioner is in custody since 08.04.2024 and has three criminal antecedents.

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

6. Considering the facts and circumstances of the case as well as 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 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 Chhatauni P.S. Case No. 517 of 2023, Subject to 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)

Arish/-

U		T	
---	--	---	--

