

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51768 of 2024

Arising Out of PS. Case No.-394 Year-2023 Thana- KOTWA District- East Champaran

Sonu Kumar Jay Kishore Yadav @ Jai Kishor Ray @ Jay Kishor Yadav
Village- Maharani Bairiya, Ward No. 8, Po- Jasauli Patti, Ps- Kotwa, Dist-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Kotwa P.S. Case
No. 394 of 2023, registered under Section 392 & 34 of the
Indian Penal Code, Sections 25(1-B)a, 26 and 35 of the Arms
Act.

3. The prosecution case, in short, is that, while the
informant was going to the house of his *Fufa*, he was accosted
with four miscreants, who snatched his mobile phone and cash
of Rs. 26,000/-. Thereafter, on ruckus, villagers assembled and
apprehended the co-accused, namely, Sikandar Kumar and on



search, there is recovery of one pistol, one motorcycle and mobile phone from his possession.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired on the basis of confessional statement of co-accused Sikandra Kumar and the same has no evidentiary value. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 06.05.2024 passed in Cr. Misc. No. 21461 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, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Kotwa P.S. Case No.



394 of 2023, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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