

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54492 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- SANGRAMPUR District- East
Champaran

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Sonu Kumar @ Sonu Sahni @ Sonu Kumar Sahni son of Dasharath Sahni
Village- Chand Parsa Bhagwatia PS- Kesariya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-08-2024 Heard learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks grant of regular bail, who is in custody in connection with Sangrampur P.S. Case No.28 of 2024 registered for the offence punishable under Section 392 of the Indian Penal Code and under Section 27 of Arms Act..

3. Allegedly while the informant was coming on his motorcycle, in the meantime, two of the miscreants who were coming on a different motorcycle overtook and intercepted the motorcycle of the informant and on the point of pistol snatched Rs.90,000/-. It is also alleged that the miscreants also shot fire and fled away from the place of occurrence.



4. Learned Advocate for the petitioner contended that the FIR has been instituted against unknown miscreants, however, during the course of investigation, one Pawan Sahni was apprehended and only on the disclosure made by the co-accused Pawan Sahni, the name of the petitioner has surfaced. It is further contended that be that as it may, till date neither the petitioner has been put on test identification parade nor any incriminating material has been recovered suggesting the complicity of the petitioner in the present crime. The crime in question is triable by the Magistrate and now the petitioner has been incarcerated since 13.05.2024. It is lastly contended that the investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is carrying four criminal antecedents over his head.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case against the petitioner is based upon confessional statement, moreover, the crime in question is triable by the Magistrate; the investigation of the crime is complete and the charge-sheet has already been submitted, let the petitioner, named above, 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 learned JM 1st Class, Motihari, East Champaran in connection with Sangrampur P.S. Case No. 28 of 202, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this



purpose or in the name of verification.

(Harish Kumar, J)

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