

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58972 of 2024

Arising Out of PS. Case No.-325 Year-2023 Thana- NAWANAGAR District- Buxar

Madan Sonar @ Manish Verma Son of Late Saryu Sonar @ Saryu Prasad
Resident of Village - Badka Diya, P.S.- Krishna Brahm (Town), District -
Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 98 of 2024, arising out of Nawanagar (Sonvarsha O.P.) P.S.
Case No. 325 of 2023, instituted for the offences punishable
under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, when the
informant was going to his home, three unknown persons came
on a motorcycle, stopped him by overtaking and snatched the
bag containing Rs. 1,00,000/- on the gun point.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submitted that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused Rohit Singh and Surajbhan Singh which has got no evidentiary value. No T.I. parade has been conducted in this case and no recovery has been made from the possession of the petitioner. The petitioner is in custody since 15.01.2024 and has got sixteen criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 05.12.2023 passed in Cr. Misc. No. 77217 of 2023 and has been granted bail by a co-ordinate Bench of this Court vide order dated 10.01.2024 passed in Cr. Misc. No. 85655 of 2023.

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 of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.Tr. No. 98 of 2024, arising out of Nawanagar (Sonvarsha O.P.) P.S. Case No. 325 of 2023, subject to the 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.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

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

(Rudra Prakash Mishra, J)

Rajorshi/-

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